



# Town of Berwyn Heights

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## Minutes Town Meeting December 10, 2014

The meeting was called to order at 8:00 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Kulpa-Eddy, CMs Rasmussen and Schreiber. CM Dennison had an excused absence. Also present were Town Administrator (TA) Cowles, Officer Roberson, Treasurer Lape, Clerk Harper, WSSC representatives Samuel Bajomo, Project Manager, April Wilt, Contract Manager, David Wilkins, Customer Advocate and Ash Hoyat, Design Engineer, and citizens.

Mayor Calvo led the Pledge of Allegiance.

### 1. Presentation

Mayor Calvo welcomed Samuel Bajomo, Project Manager in the WSSC Infrastructure Systems Group and his colleagues for a presentation of the Indian Creek Water Main Replacement Project (WMR) scheduled to start this year. The Indian Creek WMR will require trenching on most blocks west of Cunningham Drive, including a number of streets most in need of repair. The Town Council is in the process of developing a comprehensive street renovation plan and is exploring the possibility of piggybacking onto WSSC's contract.

Mr. Bajomo said that this project is part of WSSC's ongoing efforts to proactively rehabilitate its aging infrastructure. The 2.95 miles of pipes to be replaced in Berwyn Heights date from the 1930-1960s and are some of the older pipes in the WSSC system. Most pipes will be replaced within the same trench, but a few will be relocated. Replacement of pipes will stop at the property line and will not go beyond it as a matter of policy. During construction, temporary water mains will be installed to minimize disruption in service. WSSC is in the process of obtaining permits for tree removal and sediment control and has been in touch with the Town of Berwyn Heights to discuss its plans.

The project time line anticipates completion of the design and engineering phase in December 2014, submission of the request to advertise (RTA) in December 2014, going out to bid in March 2015, WSSC's award of contract in April 2015, receipt of notice to proceed (NTP) in June 2015 and estimated completion of the project, inclusive of restoration of streets, in June 2017.

Affected property owners will be notified of impending construction, water shut-offs and street work with a telephone number they can call with any questions or problems. WSSC's normal work hours are between 8 a.m. and 4 p.m. Access to properties will be maintained for the duration of the project. When pipes have been replaced, WSSC will backfill the trenches and

apply temporary patches. Full restoration of the roadway will occur after completion of the project. For more information about what to expect, customers can view a video at <https://www.youtube.com/watch?v=yuUwM3prdEs>

In response to Mayor Calvo's questions, WSSC representatives said that there will be one main contractor to coordinate the various subcontractors used for trucking, supplies, concrete work, resurfacing streets, etc. The main contractor will be on site at all times. Inspectors will also be on site daily watching the work in progress. The impact from construction on any given day will be around 180 feet, or 4 to 5 houses, where trenches are open and pipes replaced. Trenches will be shored up mainly at joints, and elsewhere if the soil is loose and sandy.

When roads are resurfaced, WSSC is following Prince George's County standards, which require a 6" base course and a 2" topping of asphalt. One contractor is used to perform all WSSC street restoration projects. Normally, the permanent patch will be applied to that half of the street where the trench was dug. Berwyn Heights may coordinate with WSSC to restore the entire width of the roadway, either by piggybacking onto the WSSC contract or, alternatively, seeking a contractor itself and obtain a reimbursement for WSSC's share of the cost. This is handled by the Systems Infrastructure Group (SIG) through a Memorandum of Understanding (MOU). Keith Tyson is the contact for exploring this option.

In response to MPT Kulpa-Eddy and CM Rasmussen, WSSC representatives said they will notify homeowners that pipes will only be replaced up to the property line, which may be up to 2' into the yard from the curb. The water meter is usually located in the public right of way but is not necessarily an indication of where the property line is. WSSC contractors do not perform work beyond the property line. There is no particular advantage for home owners in trying to use WSSC contractors to replace the water pipes leading to the house. Also, trees are usually removed if trenching causes a significant impact on the root system. WSSC policy is to replace removed trees by planting new trees of the same species.

Mayor Calvo thanked Mr. Bajomo and his team for coming in and asked that the Town be sent the same notifications as residents so that it can better handle their inquiries.

## **2. Hearing, Clean Lot Ordinance Amendments**

Mayor Calvo said the Clean Lot Ordinance perhaps impacts residents the most because it regulates the maintenance of private properties. Therefore, the Council is taking the time to thoroughly discuss all changes and seek feedback from home owners. The amendments focus on several key areas, including: 1) creating an accelerated enforcement process for multiple repeat offenders; 2) creating a framework for towing junked and inoperable vehicles; 3) setting standards for invasive species, especially bamboo, and holding home owners responsible for confining it to their property; 4) setting up new regulations for accessory structures that pose a health and safety risk; 5) implementing a speedier abatement process for vacant properties; 6) establishing a process apart from the County's for demolition of condemned properties; and 7) setting up time tables for enforcement of different types of violations.

At 9:00 p.m., Mayor Calvo opened the public hearing. Robert Baker, Osage Street, said that he has had an ongoing problem with an improperly constructed retaining wall on a neighboring property, which should have been stopped by the Code Department. Neighbors piled up several feet of dirt against a chain link fence when regarding their property, which results in water and

mud inundating his property during every rain. He has spent a lot of money and many hours trying to fix the problem. He has also talked to officials in the Town, the County and the EPA to seek redress, to no avail. He hopes the amended Ordinance will provide the tools to deal with this situation.

With no further comments, Mayor Calvo closed the hearing at 9:06 p.m. He invited residents watching at home to send in comments by email or call the Council and Town Administrator.

### **3. Minutes**

Clerk Harper read a summary of the November 12 Town meeting minutes. On a motion by MPT Kulpa-Eddy and second by CM Rasmussen, the minutes were approved 4 to 0.

### **4. Treasurer's Report**

Treasurer Lape gave the Treasurer's report for the month of November. She noted that the receipts for November in FY 2015 need to be corrected to read \$381,547.00, and total receipts for FY 2014 to read \$1,383,749.00.

### **5. Mayor's Report**

Mayor Calvo reported that the Town recently completed its audit and again received a clean bill of financial health. One notable finding is the Town's net assets standing at \$3,982,000. This is a nearly 4-fold increase since 2004 when he became Mayor. Mayor Calvo also reported that the construction of sidewalks has begun and people can now walk on the first stretch of sidewalks from the Town office to Sports Park. There are still a number of minor adjustments to be made and TA Cowles, the engineers and the contractor are consulting daily to ensure those issues are resolved. Work also continues to get the sidewalks on the 8900 block of 63rd Avenue, funded with a Safe Routes to School grant, off the ground.

Mayor Calvo continued that he attended the inauguration of County Executive Baker, County Council Representative Danielle Glaros and new School Board Member Lupi Gradi. He also met with the new Principal of Greenbelt Middle School, George Covington, who came here from Central High School. Mr. Covington was a bit surprised to find municipal leaders and parents taking an active role in school matters.

Further, the Town Council participated in the PGCMA legislative dinner where its legislative priorities were formally adopted. The top priority is restoring lost funds from changes in the tax differential paid by the County to municipalities for providing services such as trash pickup and policing.

Mayor Calvo also attended a meeting of the Route 1 Coalition, spearheaded by College Park. Those present received a comprehensive overview of all the development that is occurring along Route 1. Apart from the hotel complex that is being built across from UMD's main entrance, there are plans for the College Park City Hall to be moved up to Route 1 into a new complex that includes shops and restaurants, and other projects. He hopes Berwyn Heights can tap into the this momentum to jump start the redevelopment of the Route 193 commercial district.

Mayor Calvo noted that the Tree Lighting was well attended and thanked Phil Ventura for providing the musical entertainment. Lastly, he recollected the 8 years of great representation the Town had from retiring County Councilmember Eric Olson. To honor his service, the Town

requested Park & Planning to name the Nevada Street connector to the Indian Creek trail *Olson's Way*.

## **6. Department Reports**

**Administration:** MPT Kulpa-Eddy reported that efforts to install emergency generators at the Town Center continues. Two bids have been received, which are in the process of being evaluated. The Administration Department is also busy in preparing for the FY 2016 budget process and working on budget guidelines and the next budget calendar. MPT Kulpa-Eddy also highlighted the postal service that is available in the Town office, noting that it is contract station with limited service. However, for many simple services, such as buying stamps and mailing letters and domestic packages, it is a convenient alternative to visiting a USPS post office.

**Code Compliance:** CM Rasmussen congratulated Code Supervisor Kevin Simpson on earning his certification as Code Enforcement Administrator. Landlords are reminded that December 1 is the last day to register a rental property older than 1978 construction with the Maryland Department of the Environment (MDE). MDE requires that such properties must obtain lead free certification whenever there is a change in tenants.

Further, CM Rasmussen reported that he attended a meeting in Mt. Rainier about Pepco's vegetation management program which aims to reduce the trees and tree branches around power lines. The meeting was called by people from towns in northern Prince George's County, who think that Pepco's approach to tree removal is too aggressive. They discussed what might be done to minimize the number of trees cut down. He believes that Berwyn Heights could be more proactive in protecting its tree canopy and replacing lost shade trees.

CM Rasmussen announced a Recreation Council event "Loose it to win it" sponsored by UMD's School of Public Health that seeks to motivate Prince George's County residents to lose an average of 4 lbs in 2015. He is resolved to lose 40 lbs next year.

**Parks and Recreation, Education and Civic Affairs:** No report.

**Public Health and Safety:** Officer Roberson reported for Chief Antolik, who had an excused absence. He said that there were 8 Part I offenses in November, as compared to the 5-year average of 9.8. The year-to-date total was 64, also below the 5-year average of 77.6. Berwyn Heights police issued 1147 state and municipal citations, and 140 speed camera citations, all of them on Greenbelt Road.

Officer Roberson also reminded residents that the police will set up checkpoints during the holiday season to stop people from drinking and driving. Instead party goers are encouraged to use "sober ride," a free cab ride home that is in effect from December 12 to January 1.

In response to CM Rasmussen, Officer Roberson said that he does not know whether a speed camera will be kept on Pontiac Street in the future. Very few tickets have been issued there after the Legislature raised the minimum speed limit from 15 to 20 mph in school zones. Mayor Calvo said that one of formerly two cameras on Pontiac Street has been taken away.

**Public Works:** CM Schreiber reported that Public Works employee Troy Simmons resigned effective November 25, and thanked him for his years of service. He congratulated Bruce Hockman who was named employee of the month.

## **7. Committee Reports**

**Neighborhood Watch/Emergency Preparedness:** MPT Kulpa-Eddy announced that the next meeting will be held on January 7, at which the Committee will hold its election of officers. Also on the agenda is the FY 2016 NW/EP budget.

## **8. Unfinished Business**

**Ordinance 107 - Clean Lot Amendments:** MPT Kulpa-Eddy moved and CM Schreiber seconded to postpone consideration of the Clean Lot Ordinance. The motion passed 4 to 0.

## **9. New Business**

**Ordinance 134 - Introduction of Commercial Clean Lot Ordinance Amendments:** Mayor Calvo explained that Ordinance 134, adopted in 2008, is the companion to the residential Clean Lot Ordinance and most of the changes will be analogous. In addition, the Council proposes to implement a stricter standard for storing inoperable vehicles on a commercial property. This seeks to address the increasing number of junked vehicles on the industrial properties along Ballew Avenue. CM Rasmussen moved and MPT Kulpa-Eddy seconded to introduce the Commercial Clean Lot Ordinance amendments. The motion passed 4 to 0.

## **10. Citizens Discussion**

Phil Ventura, 57th Avenue, commented that he likes the proposed change in the refuse collection schedule, which moves bulk trash collection to the beginning of the week and consolidates the 2nd weekly collection on Thursday. Commenting on the loss of a speed camera on Pontiac Street, he suggested to install a "dummy" camera to prevent speeding. Further, he expressed concern about the Domino's Pizza next to Staples advertising their business as being in Greenbelt, and the possible loss of tax revenue.

Mayor Calvo replied that this restaurant has a Berwyn Heights business license and pays taxes to the Town. The State's Comptroller's Office decides where taxes must be paid. The bigger problem are businesses the Town does not know about, such as an ATM vendor. The Town has implemented a system to track businesses located within its boundaries.

The meeting was adjourned at 9:51 p.m.

Signed: *Kerstin Harper, Town Clerk*