



TOWN OF BERWYN HEIGHTS

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

MAYOR
Stephen D. Isler
COUNCIL MEMBERS
Jason W. Papanikolas (Mayor Pro Tem)
Amanda M. Dewey
Ethan D. Sweep
Jeffrey Jay Osmond

Town Meeting Minutes March 13, 2019

The meeting was called to order at 7:00 p.m. Present were Mayor Stephen Isler, Mayor Pro Tempore (MPT) Jason Papanikolas, Councilmembers (CMs) Amanda Dewey, Ethan Sweep and Jeffrey Jay Osmond. Also Present were Town Manager (TM) Maria Broadbent, Treasurer Michelle Rodriguez, Clerk Kerstin Harper, Chief Kenneth Antolik, Police Intern Rosa Hernandez, Public Works Director Kenneth Hall, and citizens.

1. Approval of Agenda

Mayor Isler asked to add Resolution 6-2019 adopting a fee & fine schedule for Ordinance 125 – Small Cell Facilities. MPT Papanikolas moved and CM Dewey seconded to approve the agenda as amended. The motion passed 5 to 0.

2. Public Hearing on 58th & 60th Avenue Parking Restrictions

Mayor Isler said, in response to recommendations from the Quality of Life Commission/ Traffic & Street Lights Subcommittee, Berwyn Heights Police (BHPD) conducted a traffic study relating to traffic backups in the 8900 block of 58th and 60th Avenue before they intersect with Greenbelt Road. Based on the findings, BHPD recommends two options for alleviating the problem:

1. No parking on either side of 58th and 60th Avenue 8:00 – 10:00 a.m. and 4:00 – 6:00 p.m.
2. No parking along the northbound lanes of 58th and 60th Avenue at any time. Vehicles may continue to park along the southbound lanes.

The Town has since notified the affected residents of the proposed parking restrictions by doorhanger and through the Bulletin. The Council is pleased so many residents have responded by coming to this hearing and sending emails.

At 7:04 p.m., Mayor Isler opened the Public Hearing.

Drew Carlisle, 57th Avenue, commented that he cycles throughout Berwyn Heights and drives down these blocks of streets often to go to the Metro station. He would prefer to leave things as they are, but if parking restrictions are to be adopted, he recommends combining the two options and implement ‘no parking’ along the northbound lanes during rush hours. The existing situation allowing cars to park on both sides has the merit of slowing down drivers who might otherwise be speeding down that roadway. He believes it this makes the streets safer for both drivers and pedestrians. Furthermore, implementing ‘no parking’ restrictions is an inconvenience for residents who must park their cars elsewhere.

MaryAnn Walkup said she does not remember the Traffic Subcommittee, of which she was a member, making any recommendations about the congestion problem on 58th and 60th Avenue.

Kenneth Sin, 5917 58th Avenue, said he agrees with Mr. Carlisle and opposes any parking restrictions. He is renting rooms in his house, the proceeds of which he needs to pay his property taxes. His tenants are likely to leave if they don't have a place to park.

Joanna and Robert Shaulis, 5907 58th Avenue, commented they have not noticed any particular problem with traffic backups on the 5900 block of 58th Avenue although they use the road every day. They think speeding is a bigger problem. There are some residents who race up and down the block all night long. Others race to make it through the traffic light onto Greenbelt Road and, for the same reason, don't always stop at the stop sign on Seminole Street. Furthermore, if rush hour parking restrictions are adopted, Ms. Shaulis would have to move her car to another location twice every day.

Mike Attick, 62nd Avenue, suggested to put a 'no parking' sign only in front of the commercial building before the Shell station to prevent the worst congestion. Additionally, tenants in two new houses next to the X-Tra Fuel station might be encouraged to park in their driveways rather than in the street.

Joe Nauceri?, Quebec Street, agreed with previous speakers in that cars parked in the street oblige drivers to drive more carefully and be courteous. He does not think the Town should put the burden of fixing the traffic problem on the residents that live there by requiring them to find parking elsewhere. Additionally, this would also create parking problems further into the community, as those seeking different parking spaces would take up spaces on Seminole Street and other nearby streets.

In response to a question, Mayor Isler said the emailed comments received by the Council had a mix of preferences, but neither option was a clear favorite.

Angelina Shaulis, 58th Avenue, said during rush hour, there is a lot of traffic. However, she is against making one side of the street 'no parking' because it facilitates racing. She would support 'no parking' on one side of the street during rush hour only.

There ensued further discussion during which the following additional points were made: cut-through traffic causes some of the traffic congestion; the Town should allow widening of driveways to enable more off street parking; the Town should consider making one of the streets one-way in and the other one-way out; and the Town should consider instituting a parking pass for residents. Chief Antolik was asked to work with TM Broadbent on a revised proposal that takes tonight's comments into account. It will be taken up by the Council at a future worksession.

At 7:30 p.m., Mayor Isler closed the public hearing.

3. Appointment of Historical Committee Member Darald Lofgren

Historical Committee Vice Chair, Sharmila Bhatia was present to request the appointment of Darald Lofgren to the Committee. She said Mr. Lofgren had served on the BHHC before but gave up his seat when elected to the Council. He has now decided to return to the Committee. MPT Papanikolas moved, and CM Osmond seconded to appoint Darald Lofgren. The motion passed 5 to 0.

Ms. Bhatia then gave the Historical Committee's monthly report. She announced that the Historical Committee is co-sponsoring an April 5 Team Trivia Night with Recreation Council, plans to participate in Berwyn Heights Day with a tent and exhibits, and hold an event to celebrate the 100th anniversary of the Berwyn Heights Company in the fall.

4. Approval of Minutes

On a motion by CM Dewey, seconded by CM Osmond, the minutes of the February 13 Town meeting minutes were approved 5 to 0.

5. Mayor's Report

Mayor Isler reported the Council has been focused on putting together the FY 2020 Town budget. On Saturday, the Council will hold an all-day budget workshop, at which directors and Town organizations will discuss their budget requests. County Councilmember Glaros held a school infrastructure meeting at Berwyn Heights Elementary School (BHES) in February where community members were briefed on the status of facility improvements in the area. Mayor Isler took part in an education rally in Annapolis on Monday that drew 8,000 teachers, students and parents, including a group from Berwyn Heights, to petition the General Assembly to increase school funding.

6. Department Reports

Administration: MPT Papanikolas reported that the Administration Department was busy working on the budget.

Treasurer's Report: Treasurer Rodriguez gave the report for February 2019. Major revenues included personal property tax and income tax payments, as well as a \$74,000 payment from Greenbelt Station developers and \$15,5000 from the Town's health insurance for claims reimbursement.

Town Manager's Report: TM Broadbent reported that the Administration Department has been working on the FY 2020 budget and plans to have a complete draft for the Council by Friday. She and CM Dewey had a productive meeting with Park & Planning about maintaining and upgrading properties they own in Berwyn Heights. The new Public Information Aide, Tiffany Minor, is doing a great job and is working on several publicity initiatives, including an educational campaign to keep plastic bags out of the recycling stream. The Prince George's County recycling facility does not accept loads of recyclables that have plastic bags in the mix because it clogs up their machinery. Starting April 15, the Town will follow suit and no longer pick up recyclables that have plastic bags.

In response to questions, TM Broadbent and CM Dewey said any type of plastic film should be kept out of the recycling that is collected by the Town and delivered to the County's recycling facility. However, plastic bags or plastic film can be recycled at most grocery stores.

Code Compliance: TM Broadbent gave the report. She reminded owners of rental homes that they must have a lead inspection if their home was built prior to 1978. Once inspected, owners must apply to the Maryland Department of the Environment to obtain a lead-free certificate.

In response to questions, TM Broadbent said refuse should not be set out at the curb in plastic bag. That is a code violation and can be fined. All refuse should be set out for collection in a refuse container with a tight-fitting lid and yard waste should be placed into paper bags or a designated bin. For now, she wants to keep the focus on keeping plastic bags out of the recycling and address other collection issues at a later time to avoid confusion.

Phil Ventura, 57th Avenue, asked whether the Town might want to delay purchasing expensive new recycling equipment because the recycling market is in disarray. China and other developing countries are no longer accepting much of the recyclables the U.S. used to send there. It may be that cities will have to abandon single stream recycling and go back to sorting their recyclables by type that requires using different bins.

CM Dewey replied she would ask the Council to defer making a decision until later this fiscal year when the Town is actually planning to purchase the toters and/ or tipplers. For the time being, the County's recycling facility continues to accept co-mingled recyclables and the Town will continue its single-stream recycling program. TM Broadbent added, as long as it is cheaper to recycle materials than to deposit them in a landfill, it makes economic sense to recycle. However, there is a problem with the quality of materials being recycled in single stream. People tend to contaminate their recyclables with items that don't belong or contain food residue. She suspects recyclers will tighten their rules about what will be accepted as recyclable.

Parks & Recreation: CM Dewey reminded Town organizations they are invited to present their budget requests at the budget workshop on March 23. She then announced upcoming events: a Town cleanup and Pot 'o Gold potluck this Saturday, a Raingarden picnic on March 30, Team Trivia on April 5 and Berwyn Heights Day on May 4. On the education front, she attended Councilwoman Glaros' school infrastructure briefing at BHES and has a copy of the power-point presentation she can share. BHES received its school-based budget for the next year, which is available from the Principal's office. CM Dewey also encouraged residents to sign up for the Education Advisory Committee by sending her an email.

Public Works: TM Broadbent reported for Director Hall, who was on vacation. Foreman Cardenas was present to answer questions. TM Broadbent reported that Public Works has prepared the site for the raingarden replanting and erected a fence at 56th Avenue. Mr. Cardenas has worked with the Public Information Aide and Administration staff on launching the 'no plastic bags in recycling' campaign. In the coming weeks, Public Works will freshen up paint in the Town office and reseed the Sports Park.

CM Dewey noted that Mr. Cardenas participated in a meeting with Sustainable Maryland about the dog waste stations that were added around the Town last year. Mr. Cardenas said they just received a new shipment of bags for resupplying the stations. CM Sweep said street construction season has started and asked residents to drive carefully when crews are at work.

Public Safety: Chief Antolik introduced police intern Irving King. Mr. King said he is a student of criminal justice at Montgomery College in Rockville and is completing an internship with BHPD as part of his degree. He will be here until May. Chief Antolik announced that James Ignowski has been nominated as officer of the year, Detective Unger as investigator of the year, Scott Krouse as community service officer of the year, and Mercy Muralles as civilian of the year. Selections will be made at the County awards ceremony in June.

Detective Unger gave the police activities report for February. There were 7 Part I offenses, which is higher than the 5-year average of 5.8. This included a burglary of the McDonald's restaurant and 5 thefts from auto, all from unlocked cars. A suspect has been identified with the help of a resident's security cameras. BHPD also made 2 arrests, wrote 191 state and municipal citations and issued 7 speed camera tickets. Detective Unger invited residents to follow BHPD on Facebook where he is often seeking assistance with solving crimes.

In response to questions, Chief Antolik and Detective Unger said that Officer Rufino is taking training to become BHPD's investigator of animal complaints, that air bag thefts have virtually stopped since a group of suspects was arrested in Montgomery County last December; and that a local radio station with a studio on 60th Avenue was targeted with a Molotov Cocktail. The fire bomb was put out before it could explode.

7. Committee Reports

Education Advisory Committee: Reported under Parks & Recreation Department.

Green Team: CM Dewey said that the recycling discussion the Council just had with the residents was important, but the Green Team thinks of recycling as the third priority after reducing what is thrown away and reusing what can be reused, captured in the slogan: Reduce, Reuse, Recycle.

Historical Committee: Reported under Appointment of Historical Committee Member.

Neighborhood Watch/ Emergency Preparedness: No report.

Recreation Council: Chair Susan Jones announced upcoming events and said Berwyn Heights Day is starting to come together. Town organizations are invited to participate in the parade, preferably with a float or decorated bicycles. A Salvadoran Band has been signed up for entertainment. Volunteers are needed for Fun Run registrations, manning the games, the cotton candy station and many other activities. Interested residents should contact her at violindreams@verizon.net.

8. Unfinished Business

Ordinance 125 Small Cell Facilities – 2nd Reading & Adoption: TM Broadbent provided documents showing the amendments to Ordinance 125 that were discussed at a previous worksession. The amendments allow the Town to hire a qualified third party to review the plans for installation of small cell facilities and inspect the work at expense of the applicant. Clerk Harper read the adopting language of the Ordinance. Mayor Isler recited the proposed amendments in Sections 3, 4, and 6 of the Ordinance. CM Sweep moved, and CM Dewey seconded to approve the amendments. The motion passed 5 to 0. CM Dewey moved, and CM Osmond seconded to adopt Ordinance 125 as amended. The motion passed 5 to 0.

9. New Business

Resolution 06-2019 – Wireless Telecommunication Facilities in the Public Rights of Way Fee & Fine Schedule (added item): Clerk Harper read the Resolution. CM Sweep asked if the fees fall within the Resolution Federal Communications Commission (FCC) guidelines. TM Broadbent replied they are FCC compliant and are a reasonable reflection of the effort expended processing the permits. Applicants would expect to pay this type of fee.

MPT Papanikolas said that a bill has been making its way through the General Assembly that would preempt municipal authority to issue permits for small cell facilities. The House bill has been referred to summer study, while the Senate bill is up for a 3rd Reading. He believes that any kind of preemption or limitation of municipal authority will not be enacted this year. CM Sweep moved and CM Dewey seconded to adopt Resolution 6-2019. The motion passed 5 to 0.

9. Citizen Comments

There were none.

The meeting was adjourned at 8:46 p.m.

Signed: *Kerstin Harper*, Town Clerk