



# Town of Berwyn Heights

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

## Minutes Town Meeting November 13, 2013

The meeting was called to order at 8:03 p.m. Present were Mayor Calvo, Mayor Pro Tem (MPT) Wilkinson, CMs Almoguera, Dennison, and Kulpa-Eddy. Also present were Town Administrator (TA) Murphy, Chief of Police Antolik, Treasurer Lape, Clerk Harper, President of the Berwyn Heights Volunteer Fire Department (BHVFD) and citizens.

Mayor Calvo led the Pledge of Allegiance.

### 1. Minutes

Clerk Harper read a summary of the October 10 Town meeting minutes. On a motion by CM Dennison and second by CM Kulpa-Eddy, the minutes were approved 5 to 0.

### 2. Treasurer's Report

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

### 3. Mayor's Report

Mayor Calvo noted that the City of College Park and Greenbelt held elections last week. In Greenbelt Emmett Jordan, the previous Mayor Pro Tem, received the most votes. Although in Greenbelt the top vote getter does not automatically become mayor, he will likely be confirmed at the next Council meeting as the city's first black mayor, replacing long-serving Mayor J. Davis. In College Park, one notable change was the retirement of Councilmember Bob Catlin representing the Berwyn neighborhood. He was one of the most knowledgeable old-time Councilmembers, who could be relied upon for information about city government and College Park politics and will be missed.

Mayor Calvo continued that the Town held a number of fun events this fall, including Trunk or Treat and the Town-wide cleanup. Attendance at these relatively new events increased greatly this year. The cleanup focused on Indian Creek and the trash collected tripled to 69 bags.

In other news, the Council discussed senior staff changes at recent worksessions. It was decided not to rush to fill the Code director position. Instead, the Council wants to take time to find the right person and to develop a marketing plan for the Town that paints a picture of what kind of place Berwyn Heights is. In conjunction with the impending staff changes, the Council also discussed whether it is time to discard the remnants of a commissioner-style government

enshrined in *Council Rule 10 - Departments* and other Council Rules. A more unified form of government, in which department directors report to the Town Administrator rather than a Councilmember, may better serve the Town's future needs. The Town Council also implemented a merit increase and 2% Cost of Living Adjustment (COLA) during the last month. The COLA was given to all employees, whereas the merit increases were awarded to about half of the employees. The Council in recent years has established a merit pay system that is closely tied to performance and is consistent over time and across departments.

Mayor Calvo reported that the Council also had to deal with an unexpected notice from SHA to remove the Greenbelt Middle School school zone on Greenbelt Road. The action to cancel the school zone was taken by a mid-level SHA employee after the warning flasher had stopped working. After speaking with District Engineer Brian Young and Delegate Tawanna Gaines, the decision was reversed. But it is an uncomfortable thought that a school zone the Town's children rely on for safe crossing of a busy road can be canceled without warning.

At the last Four Cities meeting in Greenbelt, two interesting presentations were given. Adam Ortiz, the Director of the Department of Environmental Resources (DER), first spoke about animal control in Prince George's County. He said that a new shelter was built near Upper Marlboro because the old shelter was mismanaged and in bad shape. Unfortunately, the new shelter is far away from the districts most likely to adopt animals, i.e. the Route 1 corridor, Laurel and Bowie. Mr. Ortiz expressed interest in partnering with cities in this area to open a second shelter closer to prospective adopters. The second presentation dealt with the new stormwater management regulations the County was mandated to implement by the State. A new \$42 per year tax was imposed to build new infrastructure to manage stormwater runoff. Mr. Ortiz, a former Mayor of Edmonston, plans to work with municipalities to carry out this mandate. He sees an opportunity here to make investments in older communities to make them more attractive by adding green spaces that also serve to filter stormwater.

Lastly, Mayor Calvo noted that the Council will meet with its legislators for the annual legislative dinner. He expects the focus to be on Governor O'Malley's last year in office, and on finding a permanent fix for Highway User Revenues. Other topics likely to be discussed are speed cameras and school zones, and, as always, this is an opportunity to keep legislators abreast of what is happening in Berwyn Heights.

#### **4. Department Reports**

**Administration:** CM Almoguera reported that the audit is still in progress. The meeting room in the old Town library will be named after Geraldine Love, who was the Town librarian for many years. The BHC might be approached to see if they would write a brief history that explains who Mrs. Love was. CM Almoguera also thanked the organizers of the Town cleanup for staging this event. She participated with her two small sons, who were eager to pick up trash and learned a lot about how stormwater gets to Indian Creek. She also announced that the Playgroup is meeting per winter schedule indoors on Mondays, and outdoors on Wednesdays and Thursdays if the weather is good. Otherwise the meetings will be inside as well.

**Code Compliance:** CM Kulpa-Eddy called attention to the problem of hoarding, a behavior marked by the urge to collect an excessive amount of things or animals. It can lead to impairment of basic living conditions, and create a number of health and safety hazards. She said that the fire department last week responded to a fatal house fire in College Park. The fire

fighters had trouble putting the fire out quickly because the home was packed with flammable materials.

CM Kulpa-Eddy reminded residents that it is the mission of the Code Department to ensure the health, safety and well-being of Berwyn Heights residents. If anyone notices signs of hoarding in the neighborhood they should call the Town Administrator and Acting Code Director Ed Murphy. A Code officer can be sent to assess the situation. If a friend or family member exhibits hoarding behavior they may call 2-1-1 for help in locating health and human service resources in this area

***Parks and Recreation, Education and Civic Affairs:*** CM Dennison reported that Berwyn Heights Elementary School enrollment stands at 445. Last week, the students had their annual walk-a-thon fundraiser, which did not raise as much money as in past years. The PTA will be happy to accept mailed-in donations to fund their full enrichment program. She also reported that Trunk or Treat went very well, and thanked the Police and Volunteer Fire Department for participating. Prizes were awarded to the three best decorated cars. First prize went to the Higgins family, second prize to the Wolfinger family and third prize to the Stephens family.

CM Dennison also noted that the Berwyn Heights Historical Committee had a successful Veterans Day event last Sunday, at which historian Patrick O'Neill gave a presentation on the War of 1812, and Veteran Marine Thomas Mutchler was honored for his service in World War II. The next event is the Tree Lighting on December 7, which will be celebrated with caroling, crafts and a visit from Santa. Donations to the Toys for Tots program will be gratefully accepted at the event. Lastly, CM Dennison asked that anyone who still has the book "The Curious Garden" to return it to the Town office, so that residents with beautiful gardens can be acknowledged.

***Public Health and Safety:*** Chief of Police Antolik gave the police activities report for October. There were 5 Part I offenses, lower than the 5-year average of 7.4. The year-to-date total was 48 Part I offenses, also below the 5-year average of 74.4. In addition, the officers issued 210 citations, including 71 Town citations, and 410 speed camera citations, with 262 issued on Greenbelt Road, 90 in the 5900 block of Pontiac Street and 56 in the 6200 block of Pontiac Street. Chief Antolik concluded with safety tips for the Thanksgiving holidays. If traveling, residents should remember to put ladders away, have papers and mail stopped, put lights on a timer and request the police to watch their home. Those active on the social networks should not post travel plans on Facebook or Twitter.

James Hurley, President of the Berwyn Heights Volunteer Fire Department (BHVFD), was present to give a report. He said that the last month has been very busy with 6 extrications, 4 working fires, as well as numerous medical alerts and fire alarms. A BHVFD special unit was first on the scene at the Palco house fire in Branchville, which CM Kulpa-Eddy mentioned earlier. Despite their best efforts, it was not possible to get into the house in time to save one of the occupants because it was so cluttered with flammable materials. With colder weather arriving, the fire department usually sees a big increase in house fires and carbon monoxide poisonings due to improper operation of heating appliances. He cautioned everyone to be careful with heaters and to have their furnaces checked.

Mr. Hurley said the BHVFD also took part in Trunk or Treat, handed out candy to trick-or-treaters at the fire house, had an ambulance on standby during the school's walk-a-thon, and hosted the Prince George's County Fire & Rescue Association at the Branchville Fire Department. In addition, the Fire Department applied for grants from the Federal Emergency Management Agency (FEMA) to help recruit and retain volunteer fire fighters, and a grant from the Maryland Department of Natural Resources (DNR) to replenish their tools for fighting wild fires. The BHVFD annual fund drive is in progress, and starting after Thanksgiving, Christmas trees will go on sale at the fire house.

Mr. Hurley continued that a committee has been set up to explore the replacement of its ambulances, both of which are getting old and have traveled 160,000 and 240,000 miles, respectively. The price of new ambulances runs between \$160,000 - \$200,000. Under the new billing structure, the County would contribute 25% toward the cost of a new ambulance, when a fire house owns the apparatus. With budget season approaching, he would appreciate the opportunity to talk with the Council about how to maintain the high level of service BHVFD provides in the future. The fire department has seen its cost increase but revenue from donations decline. Grants can no longer cover the difference.

Mayor Calvo said that he welcomes a conversation not only about financial support, but also about a long-term vision for the fire department and its role in the community. He asked whether the BHVFD has found out why some residents, including himself, have not received donation letters. Mr. Hurley said that the company that sent the letters took the liberty to send them only to those blocks where residents have previously donated. As a result, large sections of Town did not get the mailers. This has now been corrected. He added that over the years there has also been a decline in volunteers from the community. Most of the dozen volunteers that live at the fire house come from other jurisdictions all over the East Coast to seek training and firefighting experience in a busy city environment.

**Public Works:** MPT Wilkinson reported that he had the pleasure to help honor a World War II veteran, Thomas Mutchler, at this year's Veterans Day event the Historical Committee hosted. Mr. Mutchler was one of only three Marines in his unit that survived the November 1943 *Battle of Tarawa* in the Pacific. He also enjoyed the presentation by historian Patrick O'Neill on the little-known *Battle of the Potomac* during the War of 1812. He learned that the British squadron that sailed up the Potomac to support the attack on the capital picked up a large number of slaves signaling to them from the river banks. The contingent included a number of families, which eventually settled in the Province of Nova Scotia, where their descendants still live.

MPT Wilkinson said that his family had fun going trick-or-treating and encouraged all residents to participate. He was disappointed to still see cars speeding on Halloween night when the streets are full of kids. Further, he had an email exchange with school board member Peggy Higgins about the construction of a sidewalk through the Greenbelt bus depot used by students attending Greenbelt Middle School. He has pursued this project with different school officials for over a year but so far to no avail. Next, he plans to take it up with the new PGCPD CEO Maxwell.

In Public Works news, the crew was able to get all the crack sealing done during a stretch of good weather in October. Loose leaf pickup is now in full swing, and residents are requested to rake leaves to the curb but not onto sidewalks or into the street. Public Works has also put the finishing touches on the new meeting room, upon recommendation by the Green Team installed

recycling bins in the commercial district, and erected school zone signs in the 8600 and 8900 blocks of 63rd Avenue recently designated as school zones.

Public Works crewman Troy Thomas was named employee of the month for filling in on the trash truck for a colleague who was absent for a week, and Troy Simmons reported a burglary in progress to the police and helped identify the perpetrator. A Public Works trash truck was involved in an accident, when a resident backed into it while pulling out of a driveway despite the truck beeping its horn. Fortunately, no one was hurt, but the car suffered extensive damage. Lastly, the Town was informed that the University of Maryland golf course development has been shelved for now. The Council had sent a letter to oppose the plan.

## **5. Committee Reports**

**Green Team:** Mayor Calvo reported that the Green Team's community garden planning committee will attend the next worksession to report on the progress made towards setting up a community garden. They have selected the Tecumseh Street right of way between 58th and 59th Avenue as the best suited site in Town, and have met with a number of experts to evaluate it.

**Neighborhood Watch/Emergency Preparedness:** CM Kulpa-Eddy reported that the NW/EP helped the police patrol on Halloween night, which had a big turnout despite the rain. The NW/EP had a bit of trouble with radio communications and will be looking into options to replace them. The next meeting will be held on December 4.

## **6. Unfinished Business**

**Ordinance 118 - Roads and Public Right-of-Ways, 2nd Reading and Adoption:** Clerk Harper read Resolution 9-2013 adopting the revised Ordinance. CM Dennison moved to adopt it. CM Kulpa-Eddy seconded. Mayor Calvo explained that the revision of Ordinance 118 was triggered by Pepco's excessive tree trimming along Edmonston Road over a year ago. The desire to have more control over this activity led to a review of the Town's authority to regulate the Town's roads and right-of-ways. The old Ordinance was all but one page long and no longer adequate. The Council then undertook a 6-month process to rewrite the Ordinance, setting standards for working in roads and right-of-ways, establishing a permit requirement and implementing a system of penalties for violating the Ordinance. He thanked TA Murphy for tackling this issue and CM Kulpa-Eddy for shepherding the revision process.

At 8:19 p.m., CM Almoguera excused herself and left the meeting because she and her baby did not feel well.

At 8:20 p.m., Mayor Calvo opened the public hearing on the revised Ordinance 118. With no comments, he closed the hearing at 8:21 p.m.

MPT Wilkinson thanked TA Murphy and CM Kulpa-Eddy for the hard work they did reviewing and rewriting the document. CM Kulpa-Eddy said she is glad she could quell the skepticism that the initially 20-page long Ordinance could be reduced to 10 pages. Thanks to the cooperation from all Councilmembers and their policy direction, the finished version is a very good product. The Ordinance was approved in a 4 to 0 vote.

## **7. New Business**

***Ordinance No. 117 - Refuse Collection, 1st Reading and Introduction of Amendments:*** Clerk Harper read Resolution 10-2013 amending Ordinance 117. Mayor Calvo explained that the County recently changed the rules disallowing the use of plastic yard waste bags at its yard waste disposal facility come January 1, 2014. The change will require education and outreach so that residents know about it and no longer discard yard waste in plastic bags. The Council moved quickly to amend Ordinance 117, which regulates the collection all types of refuse, and until now explicitly allowed the use of plastic bags, to conform with County rules.

MPT Wilkinson moved to introduce the amended Ordinance. CM Dennison seconded. MPT Wilkinson reiterated that this change was initiated by the County and the Town merely followed suit. CM Dennison said that she supports the change, as plastic bags do not decompose very quickly. Mayor Calvo said that there are good reasons for the change, including that the plastic bags compromise the quality of the mulch derived from yard waste. With no further comments, the Council voted 4 to 0 to introduce the amended Ordinance.

#### **8. Citizens Discussion**

There was none.

The meeting was adjourned at 9:31 p.m.

Signed: *Kerstin Harper, Town Clerk*