



# Town of Berwyn Heights

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## Minutes Worksession October 19, 2015

The meeting was called to order at 7:00 p.m. Present were Mayor Jodie Kulpa-Eddy, Mayor Pro Tem (MPT) Chris Rasmussen, Councilmembers (CMs) Patricia Dennison, Maria Robles and Lynn White. Town Administrator (TA) Jessica Cowles participated via conference call. Clerk Kerstin Harper had an excused absence.

### 1. Mayor

**Announcements:** There were none.

**Calendar:** No changes or additions were made.

**Minutes:** On a motion by CM Dennison and second by CM White, the September 21 worksession minutes were approved 5 to 0.

**Department reports:** MPT Rasmussen reported that the Town has made an offer to one of the candidates for the Treasurer position. CM Robles reported that she met with Code Department staff for an update. She plans to do this on a monthly basis. Code Officer Kyle Snyder has accepted a full-time job with the Town of Upper Marlboro and will be transitioning out of the Code Department. The Code Department schedule will have to be rearranged. CM Robles continues to train on Comcate, the electronic code violation tracking system to learn how to compose reports and incorporate the Public Works trash violation notification process.

CM Dennison reported that she attended Trunk or Treat and had a good time. Public Works decorated a very scary call-a-bus. MPT Rasmussen said the winning entries for best decorated cars go the Dr. Seuss theme, the haunted candy land, and the snake pit. The names of the decorators were not ascertained.

**Citizen comments:** CM Robles said that residents from the new development at Greenbelt Station complained about noise from PG Scrap. TA Cowles said that PG Scrap has been informed of the Town's Noise Ordinance and after-hours noise restrictions. The police will check on the scrap yard periodically to make sure no after-hour activities are taking place. CM Robles had another comment about the stretch of sidewalks in the 5600 block of Berwyn Road being very dark. Mayor Kulpa-Eddy said that the NW/EP did a survey of Town streets to identify dark areas that would most benefit from

additional street lights. This location may have been among those identified.

***Purchase of pickup truck (discussed out of order):*** Mayor Kulpa-Eddy welcomed Public Works Director Lockley for the discussion. TA Cowles said Council received two background documents for the purpose of making a decision on the purchase of a new pickup truck. One identifies all Public Works vehicles with a picture and short description of the model, year, purpose and replacement cost; the other is a printout of the vehicle replacement reserve showing the cost and date for replacing each Public Works vehicle, as well as the amount set aside each year for replacement. The reserve has been revised to reflect expected replacement cost in the future rather than the price paid for the current vehicle. The pickup truck proposed to be purchased will cost \$35,000 and reduce the balance in the reserve to just below \$200,000. As the purchase of a new trash truck was moved up from the FY 2017 to this fiscal year, the Council had initially agreed that no other vehicles should be purchased from this year's budget.

Director Lockley explained that the new Ford F-350 AWD pickup truck would replace a 2008 Dodge Ram pickup truck that is nearing the end of its useful life. Its main purpose is light snow removal duty, that is the plowing of narrow side streets and cul-de-sacs where the heavy-duty Freightliner dump truck can't operate.

Mayor Kulpa-Eddy expressed concern that the vehicle replacement reserve appears to have insufficient funds. There ensued a discussion on the accuracy of the balance in the reserve and the adequacy of the annual contributions. TA Cowles said, in the past, the amount set aside in the reserve each year did not always match the amount needed. Depending on fiscal circumstances, the amount put in was sometimes more and sometimes less than needed. Mayor Kulpa-Eddy said that is understandable. However, the amount set aside appears to have been a bulk figure where it should have been broken down by vehicle. MPT Rasmussen proposed to re-calibrate the vehicle replacement reserve, starting with FY 2016, instead trying to figure out how much was set aside for each vehicle replacement in the past. TA Cowles said she plans to do that, but assured the Council that the balance of \$235,000 is correct.

MPT Rasmussen noted that an additional \$4,500 on top of the base price of \$35,000 is needed for the snow removal package. Director Lockley explained, in the past, the reserve only paid for the base price. In his opinion, the outfitting should be included as well. MPT Rasmussen moved and CM Dennison seconded to approve an expenditure of \$40,000 for the purchase of the truck with snow removal package from the vehicle replacement reserve. The motion passed 5 to 0.

***Pepco vegetation management (discussed out of order):*** TA Cowles said that she recently spoke with a Pepco representative, who briefed her on Pepco's tree trimming plans for Berwyn Heights. Pepco would like to resume its tree trimming and removal activities in the Town that were halted in 2014 upon request by the Town. Pepco is drafting a vegetation management plan that will specify which trees are to be pruned, removed and replaced. The draft should be completed by the end of the year, at which time they would like to present the plan to the Council. Upon approval, Pepco would resume its tree care program in Town. However, they may not be able to go pick up where they left off because the program is organized by feeder zone. Public Works has been in touch with Pepco and the State forrester and provided feedback on tree management.

***Pontiac Street/ Edmonston Road median update (discussed out of order):*** TA Cowles explained that SHA was expected to repair the triangular island at the Pontiac Street/ Edmonston Road intersection.

However, the island was left off when the intersection was repaved last spring. Director Lockley has since followed up with SHA's District 3 engineer Scott Wilson who informed him that SHA will do all concrete repairs in the area this fall in one batch.

***Bikeways project update (discussed out of order):*** TA Cowles said the Town will soon install two bike repair stations after receiving approval from Park & Planning to install one of the stations at the Community Center/ Gym and constructing a pad for the second station near Sports Park. Director Lockley added that Public Works installed spiral bike racks at Sports Park, Pop's Park, Indian Creek Park and the school fields as well as individual bike hitches at the Town Center, and the Community Garden. Other racks are proposed for the hockey rink and the police station. Installation of wayfinding signage will occur when the signs are delivered, and roads will be marked with "sharrows" when WSSC has completed laying new water mains in Town. A vendor will be used to apply the sharrows.

TA Cowles said, at this point, the Town expects to spend around \$28,000 out of a \$40,000 project budget, funded by \$20,000 Maryland Heritage Areas grant and a \$20,000 Town match. The auditors have confirmed that any installation expenditures can be charged back to FY 2015 as long as they occur in this fiscal year. Equipment purchases were completed in FY 2015. The grant maker has been kept up to date on the progress of the project and approved an extension of project until the end of November.

In response to CM Robles, Director Lockley said that the Town expects to receive of additional trash receptacles for bus stops in the near future. Delivery has been delayed because they were supplied by a third party.

The Council took a 5 minute break.

## **2. Administration**

***Human resources consultant:*** TA Cowles explained that the Council approved \$17,500 in FY 2016 to hire a human resources consultant to update the Town's personnel manual, perform a pay and position classification study and review the performance evaluation process. She has obtained 3 proposals, which are detailed in a memo. The low bidder was Evergreen Solutions, a consultant used by several other municipalities in the area, with a low bid of \$17,500, followed by McGrath Human Resources Group at \$20,800, and Fox Lawson at \$37,500. After some checking of references and meeting with McGrath representatives at the ICMA conference in September, she would recommend using McGrath consultants. References were very positive, and the package includes staff training on new systems not offered by the other vendors. The difference in cost could be made up with a portion of the website redesign budget and the Administration Department's training budget.

In response to Council questions, TA Cowles elaborated that the training offered by McGrath includes a 6 hour training session and 5 site visits to give staff in all departments an overview of the human resources function, as well as detailed explanations of the changes to the personnel manual and performance evaluation process. In addition, McGrath will provide an analysis of the fiscal impact of the pay scale and classification study, which would be very useful in gauging the budgetary implications. On the whole, McGrath's proposal was more comprehensive and laid out the steps that need to be taken to implement any proposed changes.

Mayor Kulpa-Eddy said she appreciates that TA Cowles has identified additional funds in the Administration budget to cover the difference in cost for hiring McGrath. CM Robles moved approve

the recommendation. CM Dennison seconded. The motion passed 5 to 0.

***Sidewalks update:*** TA Cowles said all priority 1 sidewalks construction has been completed, including the "jellyfish" stormwater filter at the Public Works yard. She expects to get the remaining invoices in the next couple of weeks. The project engineers are still working on a proposal for warning lights at the fire station and are also discussing installing a speaker to alert pedestrians when fire and rescue trucks are about to leave the station. She hopes to have this information by November 2 so she can give a full accounting of all funds expended for this project. The Safe Routes to School sidewalks project was kicked off last week with the first project meeting. SHA requires the contractor to submit a list of all materials to be used in the project before construction can begin.

***Ordinance 109 revision:*** TA Cowles referenced a memorandum from Clerk Harper, who was absent, to address open questions and explain the latest changes to the Ordinance.

**Section 4 - Voter Registration:** It was clarified that a municipal corporation has the authority to set the voting age as young as age 16, the State of Maryland's minimum voting age. However, the Town Charter requires voters to be at least 18 years of age. Town Attorney Shay advised that the Town Charter takes precedence. The Council concluded the Town's utilization of a voter registration list provided by Prince George's County, which allows registration at age 16 and voting at age 17 if the voter turns 18 in the year of the election, is not conflict with the Town's voting age. Voters may register to vote as young as age 16, but may not vote in a Town election until they turn 18. Election judges should check the date of birth of a voter on the voter registration list to ensure that no under-age voting takes place. It may be useful to post a sign in the polling station stating that voters must be 18 years old.

**Section 3 - Definitions:** It was clarified that Universal Registration, implemented in 1990 by an act of the Maryland Assembly, established a system of qualifying voters based on residency in the State of Maryland and its political subdivisions. A voter thus qualified is eligible to vote in all federal, state and local elections. No separate registration is required to vote in municipal elections. However, a municipality can maintain a supplemental voter register for voters, who do not maintain a domicile in Maryland but are otherwise qualified. The definition of Universal Registration was revised to delete the sentence "This repealed the right of a municipal corporation..."

**Section 8 D - Multiple Town Council Vacancies:** It was agreed to revert back to the Charter language for the provisions that deal with 3 or more simultaneous Town Council vacancies. In this circumstance the PGC Circuit or District Court is called upon to appoint an interim administrator to take charge of Town affairs.

**Section 6 E - Campaign Material:** It was considered whether to allow campaign signs in the Town right-of-way of a private property prior to Election Day, provided they do impair vehicles sight lines or pose other safety risks. TA Cowles was asked to research why the restriction on campaign signs was added to the Ordinance in the first place.

Mayor Kulpa-Eddy noted the recommendation that the Town Charter needs to be amended to reflect the expanded authority of the Town Administrator set forth in *Ordinance 121 - Executive Powers and Duties*, and the 2005 annexation of several Branchville Road properties. TA Cowles was requested to provide an overview of the Charter amendment process at the next worksession.

***MML legislative priorities:*** Mayor Kulpa-Eddy said MML has recommended the restoration of Highway User Revenues (HUR) and protection of Program Open Space funds as top legislative

priorities for the 2016 legislative session. She asked if one of the councilmember attending the fall conference can vote for the priorities package on behalf of the Town. CM Robles agreed to do so.

Nothing was discussed under **3. Code Compliance, 4. Parks and Recreation, and 5. Public Safety. 6. Public Works (discussed under Mayor's agenda)**

**7. Executive Session (9:29 p.m. - 10:00 p.m.)**

On a motion by CM White, seconded by CM Dennison, the Council went into executive session to discuss a personnel and legal matter. With matter discussed CM White moved and CM Dennison seconded to end the executive session.

The meeting was adjourned at 10:45 p.m.

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