



Town of Berwyn Heights

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

Minutes Worksession August 10, 2015

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

1. Mayor

Announcements: Long-time resident and President of the Seniors Club, Jean McConnell, passed away unexpectedly on July 30, 2015. The Boys & Girls Club is preparing for the Harvest Fest fundraiser on October 3, 2015.

Calendar: The first day of school will be on August 25. The date for an emergency preparedness drill was added for September 12. The date for the Town's legislative dinner needs to be scheduled at the end of November or early December.

Minutes: On a motion by CM Dennison and second by CM Schreiber, the July 20 worksession minutes were approved 4 to 0.

Department reports: TA Cowles said that the Code Department has been busy with high grass violations. CM Dennison noted that the Town committees are on break now and will resume meeting in September. Mayor Kulpa-Eddy reported that two new police cruisers are being readied for use. In Administration, Treasurer Lape retired and the position is now filled by a temporary accountant, Regina Williams, until the Council reviews the Town treasurer position and hires a replacement.

CM Schreiber reported that new Public Works Clerk Nichelle Howard was named employee of the month. She helped educate residents about the new refuse collection schedule, and reduced rates of non-compliance from 150 to 20 households in July. The Public Works Department earned praise for sprucing up the landscaping at the Town Center for National Night Out. On the recent electronics recycling day, he was pleased to find Juan Thorpe, Marvin Plummer and Gary Stanton helping out at the Greenbelt Public Works yard.

Citizen comments: Councilmembers received a warning about the splitting an old tree on Edmonston

Road, which was at risk of falling. The Police and DPW cordoned off the area and sent cars on a detour. The home owner called in a contractor who removed the tree without incident. CM Robles said that National Night Out went well and had good attendance despite the rain.

Ordinance 109 - Elections revision: Mayor Kulpa-Eddy said that the Council is hoping to complete the revision of the Election Ordinance by this fall, so an updated Ordinance is available for the 2016 Town Council election.

Clerk Harper explained that in the first draft of the revised Ordinance entire sections have been added, deleted and moved. Other changes include updated references to relevant State of Maryland legislation, addition of provisions on the pre-election processes, and redefining the responsibilities of the Town Clerk and the Town's Board of Election Supervisors. The revised Ordinance follows the template of other recently revised Ordinances, and is arranged in a chronological order. The section dealing with Election Day maintains the separate descriptions for voting by machine and voting by paper ballot. However, a large part of the step-by-step instructions for election judges has been removed, and will be retained as part of the Elections Procedure Manual.

The Council reviewed the revised Sections 1 - 5 and made the following observations and changes:

After Section 1 - Purpose and Authority: a section on applicability will be added.

Section 2 – Definitions: These will be reviewed and updated after the rest of the Ordinance has been written.

Section 3 - Voter Registration: Chapter V of the Town Charter should be cited to define eligibility to vote instead of “Section 5”. The residency requirement of 30 days prior to an election will be added for determining eligibility to vote.

Section 4 - Appointment and Duties of the Board of Election Supervisors: a reference to five election judges should be dropped from the statement of duties of the Board of Election Supervisors, so as to avoid conflict with the Town Charter. A provision to appoint a Chief Election Judge should be added. How the invitation to serve on the Board is advertised should be written more broadly, to include not only publishing in the Town Bulletin, but also on the website and perhaps other venues.

Section 5 - Preparing for Elections: The Elections Procedure Manual should be referenced as one of the guiding documents election judges need to be familiar with. The amount of compensation for election judges should be referenced in the Elections Procedure Manual. A new subsection on Candidates' Night should not specify a date for holding a Candidates' Night, and leave participation as an option. A subsection on notice of elections should be added, as per Town Charter.

Clerk Harper further noted that the post-election sections have some new provisions as well. After the Board of Election Supervisors completes the tallying, a “Statement of Election Results” is prepared and presented to the sitting Mayor for signature within 48 hours of the election. The form of the statement is incorporated in the revised Ordinance. Further, a subsection on reporting the election results to the County Board of Elections for certification was added. Time frames for reporting the results to the County need to be confirmed.

At 8:15 p.m., the Council took a 5 minute break.

Prioritization of FY 2016 capital projects: Mayor Kulpa-Eddy said that this item was requested by MPT Rasmussen, who could not be present tonight. However, for the benefit of newly appointed CM Robles, she explained that after each election the Council brainstorms the things they want to accomplish during their term and then prioritize them. TA Cowles provided the list of priorities the

Council developed after the 2014 election. Some goals on the list have already been accomplished, (such as the hiring of the new Town Administrator), some are in progress, and some have not been initiated. In addition there are goals that can be implemented at the department level and do not require the Council's involvement. With 9 months left in this Council's term, not all goals can be completed. The Council needs to make a decision on which projects to pursue and in what order.

TA Cowles gave an overview of the status of FY 2015 priority projects that are as yet unfinished. Contractor E&R Services is finishing up priority 1 sidewalks, bus stops pads and benches. Then they will mobilize for the 63rd Avenue sidewalk, which is only one block long. They expect to be done the end of September. In response to CM Robles, TA Cowles said that trash receptacles were not a part of the planned bus stop improvements, but can be added. She is also in the process of negotiating a contract for the emergency generators with the low bid contractor. A County building permit has already been issued but may have to be revised for the scaled down project. The contractor is responsible for obtaining the electric and mechanical permits. The project is expected to be finished in November this year. The demolition of two vacant homes is moving forward. The owners of the properties have been notified and have another 30 days to address the deficiencies themselves. The Town has identified the low bid contractor for the demolitions, who is working on obtaining the permits. The demolitions are expected to be completed by the end of September.

TA Cowles continued with an overview of FY 2016 capital projects. She said that a Request for Proposals is probably needed to define the scope of the economic development study the Council funded at the amount of \$30,000. Mayor Kulpa-Eddy elaborated that the study was intended to identify ways to attract businesses to Berwyn Heights and to improve the commercial district. The County zoning rewrite is likely to impact how the Route 193 corridor develops in the future.

TA Cowles said that the Council also funded a personnel consultancy at the amount of \$17,000, which would help the Town update its personnel manual, perform a pay and classification study and review the performance evaluation process. She has identified two vendors that might bid on this project. An urban tree consultant was funded at the amount of \$15,000 undertake a tree inventory, possibly draft a master plan for planting and caring for urban trees, and make recommendations for updating the Urban Tree Ordinance. A website consultancy was funded at the amount of \$6,000 to upgrade the Town's website. Four vendors have been asked to submit proposals. Lastly, \$20,000 was budgeted for street repairs to contain further deterioration of the roadways until a larger street resurfacing project can take place. Deteriorated curbs and gutters on the streets that are next in line for repaving will be repaired in conjunction with the priority 1 sidewalks.

Mayor Kulpa-Eddy proposed and the Council agreed to rank the priority of FY 2016 projects as follows: 1) human resources study; 2) website upgrade; 3) urban forest planning; 4) Economic development study; 5) street renovation whenever Public Works is ready to move forward.

TA Cowles noted that the Council also considered revising Rental Housing Ordinance to incorporate changes in State law regarding carbon monoxide detectors. Mayor Kulpa-Eddy said that this may have to wait as other changes would be more extensive. She thought the Council should finish amending the Election Ordinance, then work on the Urban Forest Ordinance and then the Rental Housing Ordinance.

Nothing was discussed under **2. Code Compliance.**

3. Parks and Recreation

Jean McConnell plaque: CM Dennison said that the Seniors Club would like to commemorate the contributions of the recently deceased Jean McConnell. A plaque or senior citizen of the year award were proposed as possible ways to memorialize her. More input from the Seniors Club will be needed.

4. Public Safety

Police station lease: TA Cowles explained that the lease for the police station in the Weygandt Building expired in June. The space is now rented on a month-to-month basis. The landlord offered the same rate of \$1,744 per month as in the old lease and to make some repairs and improvements to the building if the Town signs up for another two years. TA Cowles recommended opting into mediation to resolve disputes in addition to litigation. A penalty clause for breaking the lease might be added, if desired. In response to CM Robles, Mayor Kulpa-Eddy said that the Town does not currently own any property large enough to build a police station, and therefore continues to rent. On a motion by CM Dennison and second by CM Schreiber, the Council voted 4 to 0 to approve the signing of the lease.

Nothing was discussed under **5. Public Works.**

6. Administration

Bulletin cover: The following items were approved for the cover of the September Bulletin: Labor Day theme; headlines for Hello Huskies, Ice Cream Social and Boys & Girls Club Harvest Festival. A NW/EP emergency preparedness drill was added as a jump.

Bike repair station agreement: TA Cowles explained that the Town requested Parks & Planning to permit installing a bike repair station at the Community Center. M-NCPPC requires a use agreement to be signed that requires the Town to install, maintain and replace the repair station. The attorneys for M-NCPPC and the Town have reviewed the agreement and made the necessary changes. On a motion by CM Robles, and second by CM Dennison, the limited access license agreement was approved 4 to 0. The agreement will be approved by resolution at the next Town meeting.

Treasurer's position: Mayor Kulpa-Eddy explained that Treasurer Suzan Lape retired at the end of July after 20 years of service with the Town. The Town hired a temporary accountant to fill the position until a permanent replacement can be found. Meanwhile, the Council is requested to rethink what the role of the treasurer might be in the context of a unified government structure enacted with Ordinance 121 - Executive Powers & Duties. When the Council discussed this Ordinance, it was thought desirable to have another staff member who could act as an assistant to, and support for the Town Administrator.

Initially, the code supervisor position was considered in filling that role. However, the Council concluded the two areas of responsibility are too dissimilar. This leaves the treasurer position to be considered for the assistant town administrator role. This would probably be a better fit as the treasurer is already a member of the Administration Department and works on financial matters. Former Treasurer Lape used to step in as Chief Financial Officer, and Chief Antolik as Chief Administrative Officer, when former TA Murphy was out sick for an extended period.

TA Cowles said the budget is big part of her job and assistance in developing the budget is welcome. The treasurer is already familiar with the book keeping function but could be asked to learn more about how the budget is arrived at. She envisions budget making as a team effort between the town administrator and a treasurer/ assistant town administrator. This would also help in marketing the position and finding a better candidate. She provided the current treasurer position description and a

treasurer job advertisement from the Town of Brentwood as an example. She would strongly recommend including the minimum educational requirement of Bachelor's degree in accounting or business administration or at least 5 years' experience when advertising the opening.

Mayor Kulpa-Eddy said the Town's treasurer's job description has most of the needed pieces but should be reorganized. The responsibility of assisting the town administrator should be moved up after payroll and general accounting responsibilities, while others can be deleted. The post office and amusement park ticket functions should become backup duties to the administrative assistant. An educational requirement should be added. The advertised salary should start with the salary Ms. Lape earned. If necessary, additional funds might be taken from a salary pool the Council set aside in the FY 2016 budget. TA Cowles was asked to provide a revised job description at the next worksession for the Council's approval.

The meeting was adjourned at 9:27 p.m.

Signed: *Kerstin Harper, Town Clerk*