



Town of Berwyn Heights

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Minutes Worksession March 2, 2015

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

1. Mayor

Announcements: CM Schreiber was with his wife who is expecting a baby. CM Dennison was with her mother who underwent surgery. The UMD women's basketball team completed an undefeated season and the men's basketball team finished in the top 10 for the first time since 2003.

Calendar: The June 1st worksession was moved to June 8.

Minutes: The approval of the February worksession minutes was postponed.

Department Reports: TA Cowles said that one of plows is in the shop for repairs but is expected to back in operation by Wednesday. Mayor Calvo said that Director Lockley has done a good job getting ready for snow storm and keeping the Town Council and staff informed. A new Police Clerk, Iris Cruz, and new Police Officer, Yomyra Ramirez, have been hired and have started to work. Officer Ramirez is a recent graduate of the Police Academy, where she finished in the top of her class. Both women are bilingual.

Citizen Comments: Mayor Calvo received a number of snow-related comments. There were some complaints about DPW plows were going too fast and not stopping at stop signs. Mayor Calvo noted that the plows as a rule don't stop at stop signs because they need to keep moving to push the snow.

Town Administrator's budget presentation: TA Cowles said that the FY 2016 proposed budget presented tonight is updated to reflect the latest current year estimates. As this is her first budget with the Town of Berwyn Heights she relied on assistance of directors in the Police and Public Works Departments as well as former TA Murphy. She opted to learn and use the existing budget framework this year and implement any budgeting changes in future years. As in prior years, the budget document is organized by department and major activity and includes audited budget figures for FY 2013-2014,

actuals for FY 2015, as well as budget requests and her proposed budget for FY 2016.

TA Cowles said that this budget is balanced but largely flat due to continued lagging real property tax receipts. Real property values have gone up by 1% from FY 2015 to an assessable base of \$256,758,000, per data obtained from the State Department of Taxation and Assessments (SDAT), yielding an increase in receipts of \$11,700. One bright spot in the revenue picture are income tax receipts, which are projected to reach \$417,000 by the end of FY 2015, or \$37,000 more than was budgeted. Based on these actuals, FY 2016 income tax revenues have been budgeted at \$410,000 and increase of \$30,000 over FY 2015. Overall, tax revenues are budgeted to increase by 2.7%

TA Cowles continued with a detailed explanation of revenues.

Licenses and permits are projected to go up by 4%. For business licenses a new collection process has been implemented, which turns over delinquent licenses to the District Court, and reports unlicensed businesses to the State Comptrollers Office to effect better compliance. This may produce increased revenues in the future, but FY 2016 revenues have been budgeted at previous levels. Other increases come from building permits, projected to go up by 21% to \$8,900, and rental licenses from \$63,000 to \$64,500.

Intergovernmental revenue is projected at the same level as last year, with police aid at \$51,900, and Highway User Revenue (HUR) at \$76,000. HUR may increase if the General Assembly again approves a one-time grant. All HUR is transferred into the infrastructure reserve, which is dedicated to road repairs.

Fines and forfeitures are projected to be down by 66% but this is skewed by a booking error in FY 2015 speed camera revenues. Police fines are projected to go up to \$43,000, if the Council amends Ordinance 119 – Traffic & Parking to allow the police to issues fines for not displaying license plates in front and back of a vehicle. Code fines are budgeted to go up from \$19,000 in FY 2015 to \$22,000 in FY 2016, based on the adoption of Clean Lot Ordinance amendments, which will tighten up enforcement.

In response to CM Rasmussen, Mayor Calvo explained that police fines went up since FY 2014 because enforcement of parking fines was stepped up, and Officer Roberson put in charge of monitoring the program. In addition, the Council increased parking fines that year. Mayor Calvo also noted that he has doubts about increasing personal property tax receipts by \$15,000 in FY 2016. The only time an increase of similar size occurred was when a backlog was cleared. In this budget process, he would like to focus on improving the personal property tax collection process by streamlining notifications and employing a collection agency.

Mayor Calvo moved to correct the booking error in the speed camera revenue budget and direct TA Cowles to book \$220,000 for the public safety reserve and budget \$79,000 in receipts for this year. CM Rasmussen seconded. The motion passed 3 to 0.

At 8:10 p.m, the Council took a 5 minute break.

TA Cowles gave a detailed explanation of the proposed FY 2016 expenditures.

General Government is flat. Under Mayor & Council, there is a \$3,000 increase for *council stipends* that was approved in the FY 2015 budget. The *Green Team* appropriation is down by \$1,000 as no major funding requests have been submitted. In the Administration budget, the *dues & conferences* line has been increased by \$1,500 to enable the staff to take training. *Capital expenses >500* has been budgeted at 6,500 to continue to upgrade computers and workstations. The municipal building budget

is down by \$255. The only planned upgrade is a new furnace at around \$3,000. Some of the cost may be defrayed by an energy efficiency grant for which the Town applied. The Town Center budget is up by \$400. The main expense is in the \$11,000 *maintenance & repair* line which covers mandated State inspections of the elevator and fire alarm and sprinkler systems.

Police Department budget is up by 1.26% to \$611,244. It funds 8 full-time officers and 1 police clerk, as well as 10 hours per week for speed camera citations. No salary increases or shift differential increases are budgeted. *Locality pay* was broken out from *salaries* as a separate line item. *Oil & gas* was budgeted at the same level as last year, despite lower oil prices because miles traveled have gone up. Two new police vehicles have been budgeted at a cost of \$34,800 each. One will be funded from the capital operating budget and one from the Public Safety Taxing District budget. Neighborhood Watch/ Emergency Preparedness is funded at \$3,000 and the Volunteer Fire Department at \$10,000.

Code Compliance budget is up by \$958 to \$108,400. It is proposed to fund 1 full time code supervisor, 1 part time clerk at 10 hours per week, and 20 part time officer hours per week. Total part-time hours have been decreased in anticipation of efficiency gains from the new code tracking software. A portion of the \$60,000 budgeted for the code supervisor salary is set aside in a salary pool in the non-departmental budget. Network & software support is down by \$3,700, as the code tracking system has been purchased and there are only annual maintenance costs of \$5,000. The call-a-bus program is rarely used and remains at \$1,000.

Public Works Department budget is flat at \$673,400. It funds 8 full-time employees and 1 part time employees at 28 hours per week. During leaf season, is employee is budgeted to work up to 40 hours a week. An administrative assistant is budgeted at 8 hours per week until January 2016 or when a new administrative assistant/crewman II is hired. One temporary help is budgeted for 40 hours per week during leaf season in November and December in case a regular employee is absent. In the Public Works Building budget, the *tools* line item is up by \$1,000 because more maintenance work is to be done in-house. The *gas & oil* appropriation is budgeted to go up by \$1,000 in anticipation of the purchase of another 27 cubic yard trash truck, although increased gas use could be balanced by less miles driven due to fewer trips to the landfill. The *maintenance & repair* budget was broken out into two line items, *maintenance & repairs* and *preventative maintenance*. The overall budget remains at the same level as last year at \$47,000.

Parks and Recreation budget is flat. Special events, Pop's Park, Sports Park concession stand, Historical Committee and maintenance of the school field are funded at the same levels as last year.

Cable budget is down \$5,300 to \$10,000 due to cut in the *capital equipment >500* line. All cable expenditures must be limited to equipment purchases and maintenance of Comcast and Verizon public access channels and I-Net.

Non-Departmental The *miscellaneous insurance* budget is proposed to go down by 7% reflecting the Town's low rate in unemployment compensation claims and a preliminary quote for workers' compensation at last year's level. Based on preliminary quotes from the BlueCross/ BlueShield, FY 2016 health insurance premiums are not expected to increase more than 10% and have been budgeted at \$115,000. Dental and vision/life insurance expenses are projected to go up slightly to cover the cost of an additional full-time DPW employee. The *pension plan contribution* is projected to go down by \$8,600 to \$91,200 due to a lower contribution rate of 8.53%. The Health Reimbursement Account (HRA), which pays for employees' health insurance deductibles, is up to \$37,000 to cover mandated increases in deductibles under the Affordable Care Act. A new *health insurance offset* line item was established to budget for \$2,000 incentives for employees not enrolled in the Town's health insurance plan. They were previously included under the salary line.

Debt Service There is none.

Capital Expenses Operating funds the purchase of one police vehicle; transfers a combined \$158,000 to the infrastructure reserve, and \$58,600 to the vehicle replacement fund.

Capital Projects Surplus covers projected expenses for the 63rd Avenue sidewalks and the emergency generator projects. It also pays for an additional \$19,300 needed to pay for the new \$182,300 trash truck not funded in the vehicle replacement reserve. An anticipated \$120,00 in Greenbelt Station impact fee revenue has been budgeted as a placeholder for any unspecified investments.

Mayor Calvo noted that the Council already voted to transfer this money into reserves.

Public Safety Taxing District (PSTD) budget funds the salary and pension contribution of one full-time police officer at \$72,800, and one police vehicle at \$34,800. Receipts from special real and personnel taxes on businesses total \$72,100, leaving \$35,400 to be pulled from surplus.

Vehicle Replacement Fund: Currently, the fund stands at \$403,000. However, with the purchase of new trash truck the funds will decline to \$221,000. Depending on whether the Public Works Director will go forward with the purchase of a new dump truck the Council authorized last fall, the fund would go down by another \$50,000 to \$171,000.

In conclusion, despite the difficult revenue picture, the budget is balanced with \$2,000 to spare.

In comments, Mayor Calvo said that this is a solid budget but will require a few tweaks. He is pleased that the budget was balanced without a tax increase or staff cuts. Further, the police vehicle funded under the Public Safety Taxing District is not funded from surplus but from the PSTD reserve fund. The PSTD budget also has a small operating deficit, which is covered by the money pulled from the reserves. In the future, the Town could raise the special tax on personal property to balance this budget. Regarding the health insurance budget, he is curious to know whether the age of employees, on which premiums are in part based, has gone down. The Council may also have to make a policy decision this fiscal year on moving employees who are eligible to Medicare.

CM Rasmussen asked why fines & forfeitures show a big jump in the budget summary. Mayor Calvo replied that this due to the booking error in speed camera revenues, which distorts the budget. He has a similar concern about Greenbelt Station impact fees, which he would suggest not to include in the operating budget.

Mayor Calvo also noted that there are some capital expenditures the Council may want to consider, including new radios for the Neighborhood Watch/Emergency Preparedness Committee, assistance for the Boys & Girls Club with a new batting cage and funds for planting trees. In response to CM Rasmussen, he explained that the Town for the first time contributed \$10,000 to the Volunteer Fire Department up from \$1,000 in prior years. This was done primarily because the BHVFD asked for a longer contribution. The BHVFD has experienced declining contributions from residents plus a cut in ambulance billing revenue. Capital requests can be made by Town organizations, directors or councilmembers. If CM Rasmussen wishes to propose to set aside money purchase trees with the County's matching program, he can do so, but should provide a framework along with the request. Generally, this type of expenditure would be funded from surplus.

Mayor Calvo said at the next worksession he would like the Council to go through the operating budget and identify line items that should be increased or decreased. On March 23, he would like to discuss the capital budget and on April 6 finalize the introduced FY 2016 budget.

Berwyn Heights letter to PGCPs: Mayor Calvo asked for the Council's approval of a letter from the Town of Berwyn Heights to Prince George's County Public Schools (PGCPS) CEO Kevin Maxwell to

initiate discussions on the upkeep of the grounds around Berwyn Heights Elementary School and Community Center, as well as adding play equipment for older students. CM Rasmussen so moved. MPT Kulpa-Eddy seconded. The motion passed 3 to 0.

2. Administration

Sidewalks update: TA Cowles said that the Council still needs to make some decisions about the sidewalks project regarding 1) the bumping the sidewalks out into the roadway in front of the school; 2) changing the configuration of the lead walk to the home at 8901 60th Avenue; 3) deciding where to place the ADA accessible entrance at Pop's Park; and 4) whether to redo the sidewalk in front of Pop's Park. CP Johnson engineers will come to the March 16 worksession to answer questions and assist in making these decisions.

Mayor Calvo said that the first 2 decisions are not that difficult, even though they will increase the project cost. The open question is what to do about the Cunningham entrance to Pop's Park. He thinks the sidewalks should be replaced and raised to improve access through the center gate. However, it may not be necessary to have a 2% grade to comply with ADA regulations, as there already is an ADA accessible entrance on the Quebec Street side of the park. CM Rasmussen suggested to explore installing a drainage system behind the sidewalk to prevent rain or snow melt to flow over the sidewalks. No decisions were made.

Bulletin cover: The following items were approved for the April Bulletin cover: biking-fitness theme; headlines for Wine Tasting, Berwyn Heights Day and Introduction of the FY 2016 budget, jumps for tax time, electronic recycling.

3. Code Compliance

Clean Lot Ordinance amendments: TA Cowles said that two versions of Ordinance 107 were provided to the Council. Both have all changes made thus far, but one tracks changes proposed by the Town attorney's office, which are: 1) moving provisions on hazardous conditions from *Section 3 M - Litter* to *Section 3 H - Hazard*; 2) adding a definition in *Section 3 R - Public Nuisance*; 3) and several minor clarifications in *Section 6 A - Notice of Violation of Standards*. TA Cowles will have to check back with the Attorney on the issue of limiting the time period during which a homeowner can appeal a code-related decision by the Council to the District Court.

MPT Kulpa-Eddy provided clarification on what constitutes an imminent hazard that entails an immediate fine, per request by the Council from the last worksession. Using language from *Section 3 H - Hazard*, she proposed hazardous to mean 1) a condition where a lot *is* infested, rather than *may become*, infested with rodents or vermin; 2) a condition of the lot where a dog or other domestic animal is confined to a small space where it becomes soiled with its own feces; and 3) a condition of the lot that *poses*, rather than *may pose*, a fire hazard. The focus is on conditions that could not be allowed to fester for 7 days or longer without a causing a serious problem.

Mayor Calvo agreed that an imminent hazard has to describe a very concrete and limited set of circumstances. In addition, it needs to be a condition caused or exacerbated by the property owner, and that can be corrected within a 24 hour time frame. He would not want to fine people for having rats, but for doing something that attracts them. Nor would he fine people for a violation that cannot be fixed in 24 hours. On the other hand, a violation that is considered an imminent hazard would be fined immediately upon being discovered. There would not be a warning period of 24 hours.

MPT Kulpa-Eddy replied, to the contrary, the proposed language in *Section 6 E (1) - Violations* gives a 24-hour period from the time a notice was issued to correct a violation. Mayor Calvo said that currently immediate fines are issued upon sight of a violation, together with a notice to correct it within 24 hours, or another fine is imposed. This is done when police cite the owner for a vehicle parked on grass. However, police or code officers have discretion to give a warning before they issue the fine. MPT Kulpa-Eddy said she would prefer to give a warning but can agree to an immediate fine for the types of violations just discussed.

Mayor Calvo said the table of enforcement schedules should now have 3 categories under A - Condition of Exterior Property Areas: 1) "imminent threat" for an immediate fine; 2) "hazardous" for time sensitive, or 7-day correction periods; and 3) "non-hazardous" for regular order, or 15-day correction periods. TA Cowles was instructed to change the Ordinance accordingly.

Ordinance 134 – Commercial Clean Lot: Consideration of this Ordinance was postponed.

Nothing was discussed under **4. Parks and Recreation**, **5. Public Safety** and **6. Public Works**.

The meeting was adjourned at 10:29 p.m.

Signed: *Kerstin Harper, Town Clerk*