



Town of Berwyn Heights

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Minutes Worksession February 17, 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 Councilmembers (CMs) Patricia Dennison, Chris Rasmussen and Anthony Schreiber. Also present was Town Administrator (TA) Jessica Cowles, and Clerk Kerstin Harper.

1. Mayor

Announcements: The Green Team will meet on the second Monday of the month in March and April.

Calendar: A date for a CDMA meeting has not yet been set.

Minutes: On a motion by CM Dennison, and second by MPT Kulpa-Eddy, the January 26 worksession minutes were approved 5 to 0.

Department Reports: MPT Kulpa-Eddy said that she attended a zoning rewrite workshop, and Mayor Calvo attended a focus group on the zoning rewrite for municipal stakeholders.

Citizen Comments: None were reported.

PRECA budget presentation: CM Dennison presented the Parks and Recreation Department budget for FY 2016. She began with an overview of recent accomplishments, including:

- improvements to Town parks, in particular the renovation of the Pop's Park playground;
- planning and staging Berwyn Heights Day and other community events; and
- supporting PTA and educational enrichment programs at BHES, Greenbelt Middle School and Parkdale High School.

CM Dennison said that she is requesting a total of \$25,000 for FY 2016, which is the same amount as last year. In response to questions, she said that the *Pop's Park maintenance and repairs* line item is based on recent years' expenditures. No specific repairs to playground equipment are expected as the equipment is brand new. Mulch expenditures are covered in the *Pop's Park supplies* line. The *equipment* line item is flat as no new purchases of playground equipment is planned. The *volunteer appreciation* line is also flat, but may be considered for an increase. Food ran out at some previous dinners. Administrative Assistant Odoi, who coordinates the event, should be asked if the number of attendees has gone up in recent years. TA Cowles added that this event was budgeted at \$1,000 last year but had expenditures of \$2,000.

Public Works budget request: Director of Public Works Adrian Lockley presented the FY 2016 Public Works budget. Overall, the proposed FY 2016 budget is almost flat. Several green initiatives are funded through Maryland Smart Energy Communities grants and focus on improving the energy efficiency of Town buildings through installation of new furnaces and LED lighting, and reducing fuel consumption of Town vehicles. The cost of planting native trees in open spaces will be minimized by utilizing the Maryland *Treemendous* Program.

In response to questions, Director Lockley said that the Town is working with Prince George's County on implementing programs to reduce the amount of waste going to the landfill. However, there is no specific quota the Department is trying to achieve. Total refuse collected has actually gone up last year, as has the amount recycled. Mayor Calvo added that this is a function of the change in the Town's population.

Turning to the budget request, Director Lockley said that the main change is in the *salary* budget. Roll up costs from last year's salary increases will be absorbed by planned staffing changes, where 2 part-time positions will be replaced by one full time position and additional overtime. In the Public Works building budget, a \$1,000 increase in the *tools* appropriation is proposed as part of an ongoing effort to perform more maintenance and repairs in-house. With the exception of scheduled maintenance on trucks, all vehicle maintenance is already done in-house.

Mayor Calvo said that he would like to focus discussion on 3 areas: 1) the organizational structure, 2) specific line items; and 3) the vehicle fleet. He observed that Director Lockley was recently authorized to combine the 2 part-time positions into one full-time hybrid crewman/ administrative position, provided the effect on the department's budget is net zero. He asked if the position has been advertised and whether any candidates have applied. Director Lockley said that he has received 4 applications to date. However, the combination of skills required has proved to be a challenge. His preference is for a candidate with good administrative skills, as the need for crewman hours will be reduced with the implementation of a 3-days per week trash collection schedule. It is assumed that the *overtime* budget will not go up much as a result of eliminating the part-time position. Additional hours are usually needed when a regular employee is absent. The overtime budget is driven mainly by weather events, such as snowstorms, and, more predictably, by electronic recycling and event preparations. Mayor Calvo suggested that Director Lockley develop a model of the average labor cost of a winter storm on which to base the overtime budget.

Director Lockley further explained FY 2015 cost overruns in the *gas & oil* and *maintenance & repair* line items. Both are related to the new 27 cubic yard garbage truck, which uses more fuel than the older, smaller trucks. In addition, the diesel fuel has not gone down in price as much as regular gas and is still over \$3 per gallon. Despite the planned purchase of a second 27 cubic yard truck, he budgets less for gas next year because he assumes there will be fewer miles traveled when the Town switches to 3-day trash collection, made possible by the 2nd large truck. Diesel fuel has also entailed additional repair costs as its corrosive qualities necessitate more frequent replacement of fuel injectors and tanks. However, he budgeted less in this year's budget because he assumes that the same repairs will not recur this year. Mayor Calvo suggested that Director Lockley track the fuel usage of gas and diesel-powered vehicles more carefully and separately to arrive at a better estimate for next year's budget.

In response to CM Schreiber, Director Lockley explained that a vendor is used to perform maintenance on the trucks at the yard because taking them to the service location entails too much downtime.

Absenteeism is high among his employees because Public Works jobs are physically demanding. Employees sometimes take a day off to rest. In response to MPT Kulpa-Eddy, Director Lockley said that the diesel trucks have more horsepower, which is useful for snow plowing. However, the difference is less critical than initially thought. CM Rasmussen suggested it may be prudent to budget for at least one unanticipated major vehicle repair to avoid cost overruns. The same goes for tree maintenance, where the line item was exceeded due to a large tree falling on a car.

Mayor Calvo next turned to the *Fleet Inventory Report* provided by Director Lockley as part of the budget presentation. The report assigns a replacement priority rating numbered 0-3 to each vehicle, which may have to be reviewed. For example, the 1985 leaf collection machine is assigned the highest replacement priority of 3 or 'mission critical'. However, it is used as a backup to the 2007 leaf vacuum, and is therefore not critical to performing leaf collection. Further, the priority ranking of 2, or 'necessary to be 100% effective', is given to 5 vehicles, indicating that they are hampering efficiency.

Mayor Calvo continued that the Council should take a closer look at the Public Works vehicle fleet later in the budget process to determine what the optimal fleet should look like and evaluate replacement ratings and schedules. An updated vehicle replacement reserve report should be made available to see the current funding levels. To prepare for the discussion, an explanation of the principle use of each vehicle should be written as the basis for composing a framework for the optimal fleet and the funding plan needed to maintain this fleet. Once in place, the framework can be updated for each successive budget cycle.

In response to CM Schreiber, Director Lockley said he established a full-time position combining administrative assistant and crewman skills to draw better applicants than he may get from advertising a part-time administrative position. Mayor Calvo said he thinks he may find qualified part-time administrative help among Berwyn Heights stay-at-home parents that want to work only when children are at school. In any case, Director Lockley should fill the administrative assistant position soon.

At 8:45 p.m., the Council took a 5-minute break.

Refuse truck proposal (discussed out of order): Director Lockley explained that he obtained a bid of \$182,255 from Mid-Atlantic Waste Systems for a 2016 Freightliner refuse truck with 27 cubic yard packer, an 83 liter 300 HP engine, and 3500 RDS transmission. It is the same truck as the previous one purchased, except for a larger gas tank. The customizations give a fully loaded truck enough power and torque to get up the hills in a stop and go mode and reach traveling speed on the highway. The bid is based on a competitively awarded, nationally-leveraged cooperative purchasing contract and includes a 4% discount on the packer.

Mayor Calvo said that the vehicle replacement reserve has approximately \$160,000 to fund the truck, plus potentially \$10,000 in recycling revenue, which is added to the fund annually. This leaves an additional \$10,000 to \$15,000 to be funded from the surplus. Although the reserve does not have enough money to purchase the 2016 Freightliner as of now, the intent was to set aside enough money each year to purchase a new trash truck every 5 years. TA Cowles needs to make sure that the contributions to the reserve are increased to take into account inflation in the price of the next truck.

CM Schreiber moved and CM Rasmussen seconded to authorize the purchase of the 2016 Freightliner, pending full funding in the FY 2016 budget. The motion passed 5 to 0.

2. Administration

Emergency generators update: TA Cowles informed that she has reached out to the Town attorney to find out if the Town is committed to carry out the emergency generator project as originally designed if it signs the capital projects grant agreement to obtain state funding through the bond bill. Attorney Shay advised to do everything necessary to keep the bond bill alive, including signing the agreement and showing evidence of the Town's matching funds. If the Town cannot go forward with the project the State will be able to shift funding to another project without penalties to the Town. MPT Kulpa Eddy moved and CM Dennison seconded to authorize Mayor Calvo to sign the agreement. The motion passed 5 to 0.

Bikeways comprehensive plan: Clerk Harper presented a comprehensive plan to implement a bikeways project to better connect Berwyn Heights to the regional Anacostia Trails system for which the Town received a \$20,000 Maryland Heritage Areas Authority (MHAA) grant last year. The grant requires a \$20,000 match and funds 1) design of shared bike routes; 2) purchase and installation of 12 bike racks and 2 bike repair stations; and 3) design, purchase and installation of interpretative signs showing bike routes and points of interest in Berwyn Heights.

Clerk Harper provided a revised map of proposed bike routes in Town that takes into account previous input from the Council. A connection from Indian Creek Trail to Nevada Street was added, guiding cyclists along 58th Avenue to Greenbelt Road, as well as a connection from Pontiac Street to Greenbelt Middle School via 63rd Avenue and Tecumseh Place. Clerk Harper also showed types of bike racks, bike repair stations and signs under consideration, and their approximate costs and possible location along the routes.

Mayor Calvo said that he agrees with most of the routes. The southernmost section of 58th Avenue, which is partially graveled, should be repaved whenever the Town undertakes its next road project. The connection to Greenbelt Middle School via 63rd Avenue would add safety for students already using this route. An open question is where to guide cyclists across busy Route 193 to get to Greenbelt. The decision largely depends on where Greenbelt will place its bike route on the other side of Route 193. The issue is one among others to be discussed in a joint meeting with Greenbelt's City Council that affect both municipalities.

MPT Kulpa-Eddy suggested that Edmonston Road is a better route than 63rd Avenue for cyclists to reach Greenbelt Middle School from Pontiac Street because there is more space. Cars parked on both sides of 63rd Avenue do not leave much space for cyclists, and sharrows might be covered by parked vehicles. Mayor Calvo thought that 63rd Avenue is safer because there is less traffic. Routes will be finalized at a future meeting.

The Council agreed that Clerk Harper should request an amendment to the grant budget that would shift money from the route design line item to other items, in particular signage.

3. Code Compliance

Clean Lot Ordinance amendments: TA Cowles explained that the latest version of Ordinance 107 include comments and suggested changes from the Town Attorney's office. The Council reviewed the changes.

Section 3 J - Litter: It was agreed to remove sub-sections J (1) - (4) because they create a higher standard of what constitutes litter. Further, the definition was limited to private property by taking out

"public places."

Section 3 S - Weeds: It was agreed to remove grass from the list of weeds because the violation pertains to plants that are untended as indicated by a height above 10". Properly tended lawns, ornamental plants, and undisturbed woodland are not a violation, as specified in the exclusions portion of the definition

Section 4 L - Building Security: It was agreed to add a definition for 'public nuisance,' which is referenced here.

Section 4 M - Accessory Structure: It was agreed to retain subsections M (1) - (2) as only the improper maintenance of an accessory structure, such as a fence or retaining wall, is regulated. The building or installation of such structure is a County function.

Section 6 C - Abatement: The Town Attorney clarified that the Town does not require a court order to perform abatements as outlined in this section.

Section 6 E - Timeframe for Notice of Violation and Penalty: Mayor Calvo proposed to apply a more lenient enforcement schedule to 'conditions of exterior property' as set forth in Section 4 A. A 'hazardous' condition should be moved from the 'immediate' to the 'time sensitive' category, and 'non-hazardous' condition to 'regular order'. The same should happen with violations set forth in Section 4 I - Animal and Habitat and 4 L Building Security. Under the proposed definition of the violation too many conditions would fall under an immediate enforcement schedule. In his mind, this constitutes a major expansion of code enforcement authority and encroachment on private property rights.

MPT Kulpa-Eddy disagreed in part, noting that there are conditions of exterior property that need to be addressed in short order, i.e. those posing a threat to the health of people and domestic animals. For example, dogs kept in filthy yards or garbage piles in the middle of summer. Mayor Calvo clarified that those conditions should be defined narrowly as an emergency. Further, property owners must be able to remedy such a violation in a 24-hour period. Many animal violations can be dealt with in Ordinance 101. His main concern is having too many violations that are swept into the 24-hour remedy category. At this point he cannot support adopting the amended Ordinance if this issue is not addressed.

MPT Kulpa-Eddy proposed to re-insert definitions of hazardous that were just removed from Section 3 J Litter, specifically those causing a fire hazard or disease. It was agreed to add an 'imminent' category to the table of enforcement schedules, that would keep only emergency conditions of exterior areas as a violation that must be corrected in 24 hours. All other types of hazardous conditions would become time-sensitive with 7-day correction periods, and non-hazardous conditions would become regular order violations with 15-day correction periods.

Section 6 E (3) Regular Order: The enforcement schedule was corrected to specify correction/fine periods of 15 days, 7 days, and 7 days, if a violation is ongoing.

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

The meeting was adjourned at 10:20 p.m.

Signed: *Kerstin Harper, Town Clerk*