



Town of Berwyn Heights

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

Minutes Worksession October 2, 2017

Executive Session (6:00 – 7:05 p.m.)

Personnel Matter

Regular Meeting

The meeting was called to order at 7:07 p.m. Present were Mayor Cheryl Jewitt, Mayor Pro-Tem (MPT) Jodie Kulpa-Eddy, Councilmembers (CMs), Patricia Dennison, Christopher Rasmussen, and Gerald Shields. Also present were Town Administrator (TA) Jessica Cowles, Chief Kenneth Antolik, Clerk Kerstin Harper and citizens. Several citizens had signs expressing opposition to the acquisition of the Humvee.

1. Action Items

Humvee acquisition: Chief Antolik presented additional information on the Humvee the Council had requested: Out of 7 neighboring municipalities, all have utility vehicles and 4 have Humvees. The University of Maryland has 8 SUVs, 2 Humvees and 1 peacekeeper. The Humvee the Town applied to acquire has 4 seats and each one is equipped with a seat belt. The installation of a hitch would cost approximately \$100 plus \$200 for installation. Humvees are made to withstand water inside the vehicle and are equipped with drain holes in the floor. In certain types of weather this can lead to condensation on the inside of the windows.

In response to questions, Chief Antolik replied that he has seen no evidence of mold in the vehicle. The Humvee has 4 seats but 2 are currently not visible because they are folded down. The removal of the turret would be difficult and expensive because it would require removal of the roof. In addition, the turret would have to be re-installed if the vehicle is returned or transferred to another agency. Other municipalities use Humvees for search and rescue and driving in severe weather. The Humvee was acquired under the Defense Logistics Agency's 1033 program, which restricts its use to law enforcement personnel. This would exclude any Public Works staff or NW/EP members from driving the vehicle, with or without the Emergency Preparedness trailer. Fire Departments may apply for military surplus vehicles under a different program.

Mayor Jewitt said that she received many calls and e-mails this weekend about the Humvee acquisition and thanked everyone for their engagement. She summarized some the recent comments she received. Two residents suggested to turn the vehicle over to the BHVFD, with the Police retaining ownership, but this option is ruled out by the terms of the 1033 program. Over the last 2 months, she received a total of 34 comments in favor of the Humvee acquisition and 12 in opposition.

CM Dennison moved to approve the acquisition of the Humvee. The motion failed for lack of a second. TA Cowles was instructed to begin the return process.

2. Discussion Items

EOP and Emergency Preparedness Workshop debrief: TA Cowles explained that the emergency management workshop recently held in Berwyn Heights addressed several important issues pertaining to the Emergency Operations Plan (EOP) the Council is in the process of revising. The issues in question relate to the role of Councilmembers in an emergency situation, particularly with respect to:

- Communication;
- Assessment of community needs;
- Making policy decisions;
- Supporting response efforts; and
- Role in the incident command structure.

The workshop facilitators recommended that councilmembers' role in emergency management focus on making policy decisions, setting strategic objectives, and providing leadership to the community. They ought not have a formal role in the incident command structure, nor take on operational responsibilities handled by Town staff.

In response to Councilmembers questions, TA Cowles said that Berwyn Heights may not have enough staff to handle all emergency functions. The facilitators' recommendation of having 3 staff cross-trained for emergencies in each department is not feasible. However, it is current policy that all essential employees be available during an emergency. The extent of the Council's involvement in operational issues requires more input from the Council, as does the definition of a spokesperson versus those of a public information officer (PIO). Normally, a mayor acts as the Town's spokesperson, whereas a PIO handles the behind-the-scenes work of writing press releases, posting news to social media and websites, and responding to press inquiries. TA Cowles or Clerk Harper may be plausible candidates for this role.

TA Cowles said it was further recommended that the responsibilities of the Community Emergency Response Team (CERT) be clarified. On the latter point, the EOPs of the City of Laurel and the Town of University Park have pertinent information. Lastly, the workshop provided an excellent networking opportunity with emergency personnel from neighboring cities and local agencies that are critical during a crisis. TA Cowles plans to revise the EOP based on the workshop deliberations, but requested Councilmembers to provide additional input on what their roles should be.

Councilmembers proposed the following changes to the EOP:

- Assign emergency planning functions to the Council and operational functions to staff;
- Ensure that emergency policies conform with the Town Charter;
- Clarify whether a quorum of the Council is required to make decisions during emergencies;
- Clarify how to ensure continuity of government;
- Add provision on PIO (see Greenbelt's PIO);
- Add a concept of operations (see Laurel's EOP) to set forth parameters for Town's emergency response.

Mike Attick, 63rd Avenue, asked a question about the purpose of referencing an emergency ordinance. TA Cowles replied that the Town Charter sets forth a process for adopting an emergency ordinance that suspends some notice requirements to enable a faster adoption process.

Public Works strategic plan items: TA Cowles gave a status report on Public Works strategic plan action items comprising:

- Conducting a street condition assessment and street improvement plan;
- Researching options for improving facility security over the short term;
- Conducting a Town facilities study, specifically to identify long-term space for the Police Department.

TA Cowles said that, following the departure of Director Cox, there is no one in the Public Works Department who can complete the strategic plan action items. She anticipates that a new director will be hired by the end of this year who would resume this task. In the interim, she is willing to serve as “acting” director, while hiring Kenneth Hall, who served as interim Public Works Director last year, as a part-time consultant. He would help the Town move forward with the strategic plan and complete a number of pending projects. The 10-week consultancy can be financed within a \$20,000 FY 2018 appropriation for developing a street improvement plan. As an infrastructure expert, Mr. Hall will be able to conduct the street condition assessment and develop a priority street improvement plan with a cost estimate for next year’s budget.

In response to questions, TA Cowles said that Mr. Hall prefers to come in as a consultant rather than a temporary employee, which avoids additional benefit costs for the Town. The job announcement for the Public Works Director has been posted at Indeed.com, in the on-line “Employment Opportunities” at MML, and will be posted on the Town website shortly. CM Rasmussen moved to approve the expenditure of up to \$20,000 to hire Mr. Hall as a temporary consultant. CM Dennison seconded. The motion passed 5 to 0.

3. Minutes

The Council reviewed the September 11 worksession minutes. On a motion by CM Dennison and second by CM Shields, the minutes were approved 5 to 0. The September 13 Town meeting minutes were distributed.

4. Announcements, Department Reports, Citizen Comments

Mayor Jewitt reported that some residents received the College Park elections guide because of the zip code issue; that the Ice Cream Social ended early because the fire department checked on a potential gas leak; that Pepco was sent a list of addresses of customers to check into a recent fair-weather power outage; and that the newly-installed crosswalks look great. College Park will celebrate College Park Day at the Aviation Museum on October 7 and the University of Maryland has a Golden ID program allowing senior citizens to take courses. Those interested can contact addiebatty@umd.edu.

Mayor Jewitt thanked Chief Antolik for his professionalism regarding the Humvee acquisition and all residents who provided input. She explained that she initially was very much in favor of getting this almost free vehicle. She authorized the Town Administrator to apply for it without bringing the matter before the Council because the decision had to be made quickly in order to qualify. Upon being provided further information about the vehicle, it was learned that the Humvee had a turret for mounting a machine gun that could not be removed without damaging the roof. This made it more difficult to make the Humvee look like a civilian vehicle and allay concerns about the “militarization of Berwyn Heights police.” In addition, the Council agreed to look into obtaining a vehicle, other than a Humvee, with similar functionality. These considerations caused her to refrain from voting in favor of obtaining the Humvee earlier this evening.

CM Rasmussen reported that he, Mayor Jewitt and Treasurer Rodriguez all graduated from the Academy for Excellence in Local Governance. The ceremony took place at the UMD chapel on September 26. He will meet this week with TA Cowles and Code Supervisor Glass to discuss coordination between the Code and Public Works Departments regarding refuse disposal education and enforcement of regulations. Also on the agenda are implementation of new regulations in the amended Clean Lot Ordinance, and setting parameters for revoking a rental license. CM Rasmussen, in commenting on the Humvee acquisition, said that Mayor Jewitt made the best possible decision under the circumstances, that it is unfortunate an arrangement for the Volunteer Fire Department to use the Humvee could not be worked out, and that the needs of the Town's vehicle fleet should be further discussed.

CM Rasmussen also received a citizen comment regarding the cost of disposing large amounts of bamboo and possible assistance from the Town. TA Cowles will follow up, and look into the best ways to assist residents with removing bamboo.

CM Shields reported on recent and upcoming Town events, encouraged residents to participate in the recycling bin survey, and thanked Chief Antolik for supplying the Council with all requested information to make an informed decision on the Humvee acquisition.

5. Town Council Schedule

The Council reviewed the calendar. No changes were made.

The meeting was adjourned at 8:50 p.m.

Signed: *Kerstin Harper*, Town Clerk