

BOARD OF TOWN COMMISSIONERS

WORK & BUDGET SESSION

April 11, 2023 4:00 P.M.

PRESENT: Commissioner Kevin M. Bianca, Chair
Commissioner Mary F. Chance
Commissioner Paula S. Etting
Commissioner Erin S. Hughes
Commissioner Donna L. Kahoe
Edward Hopkins, Town Administrator
Stephen Kline, Director of Public Works
Michael Krantz, Director of Administration
Lisa Moody, Director of Finance
Charles Moore, Chief of Police
Angela Robertson, Economic Development Coordinator
Kevin Small, Director of Planning
David Anderson, Media & Public Relations Specialist
Charles Keenan, Town Counsel
Elizabeth Thompson, Town Counsel

OTHERS: Joan Suitt, Recording Secretary

APPROVAL OF AGENDA:

Chair Bianca called for approval of the agenda.

Commissioner Kahoe moved and Commissioner Etting seconded the motion to approve the agenda as written. The agenda was approved by the Commissioners.

TOWN ADMINISTRATOR'S REPORT:

The Town Administrator notified the Department Directors will be excused during the Fiscal Year 2024 budget discussion with the exception of the Director of Finance and the Director of Administration.

The Town Administrator advised there are several qualified candidates for the Director of Economic Development position.

The entire FY24 budget has been posted on the website.

TENATIVE AGENDA FOR TOWN MEETING (April 17, 2023 at 5:30 p.m.)

Presentations:

Proclamation to Dispatchers for National Public Safety Telecommunicators Week

The Chief of Police will recognize the Town's Dispatchers for National Public Safety Telecommunicators Week.

Public Hearing:

Resolution 1196-23 Town Administrator's Fiscal Year 2024 Budget

The Director of Finance advised the General Fund will be presented during the public hearing.

During the second Public Hearing, on April 17th, the two Enterprise Funds and Special Revenue Fund will be presented.

New Business:

Resolution 1197-23 Historic Designation - 124 West Gordon Street

The Director of Planning notified Historic Preservation Commission recommends approval of incorporating 124 W. Gordon Street into the Historic District. There is a slight change in the Resolution because the person putting this forward is a representative of the estate not the actual owner. An updated Resolution will be sent to the Commissioners.

Resolution 1198-23 Fiscal Year 2024 Tentative Budget

Discussion on the FY24 Tentative Budget will occur later on this agenda.

Resolution 1199-23 Amending Civilian Pension Plan Beneficiary Definition

Resolution 1200-23 Amending Sworn Pension Plan Beneficiary Definition & Participant Contribution

The Director of Administration advised the Board of Trustees on both pension plans met regarding the definition of beneficiary. Currently, a member's beneficiary is their spouse and beyond that it does not allow for an unmarried participant to name a beneficiary. The funds would go to an estate only. The amendments will allow for a non-spouse person to be named and both the Sworn and Civilian Pension plan documents will be updated.

Commissioner Kahoe asked if the beneficiary has to be a relative. The Director of Administration stated it does not.

Commissioner Etting inquired if married does the spouse have to be named. The Director of Administration advised if the spouse is not named, there must be a legal document signed by the spouse approving someone else.

Resolution 1201-23 Planning Commission's 2022 Annual Report

The Director of Planning advised every year the Planning Commission issues a report to the Commissioners and the State that points out planning and development activity. The Planning Commission made some changes during their recent meeting and a new copy will be sent to the Commissioners. The report will be posted on the website. Changes made were to reference the two issues under litigation. The report includes:

- Capital improvements - design of Burns Alley, Pocket Park completed, and rezoning efforts.
- Development activity of the Planning Commission, Board of Appeals and Historic Preservation.
- Reports on permits and items on adequate public facilities.

The Director of Planning notified there were no new residential dwelling permits issued in 2022.

STAFFING UPDATE:

The Director of Administration notified:

- Director of Economic Development - interviews continue.
- Parking Enforcement position (full time) - posted.
- Environmental Engineering Tech - to begin employment on April 17th.

The Chief of Police advised the Officer recruit is doing well in class and another lateral officer will be hired.

CALENDAR:

The April/May/June calendar was distributed.

MISCELLANEOUS:

Discussion on 2022 Maryland Question 4 Legalization of Cannabis for Adult Use in Maryland

Commissioner Etting notified the Legislature approved their final version on cannabis. The Town will get little funding, 2% of the 9% sales tax or approximately \$1,350. The Town is restricted in spending the funds on mental health and behavioral counseling. Commissioner Etting is not sure what was actually settled about on-site consumption but there are some specifics about setbacks. This legislation goes into effect July 1st.

Commissioner Etting stated it is time to make some decisions and would like to see a moratorium placed first. Commissioner Etting advised there are no medical cannabis locations in the Town. The medical cannabis establishments can automatically convert to recreational.

Chair Bianca asked if any inquiries were received. The Director of Planning advised a few months ago.

The Director of Planning distributed zoning maps. The existing State regulations impose setbacks that a licensed dispensary may not locate within 500' to:

- Pre-existing primary/secondary schools, licensed childcare centers or registered childcare homes, playgrounds, public recreation centers, library, and public parks.

Not locate within 1,000' of:

- Another dispensary.

The Director of Planning did not see a setback in residential and recommends adding 500' from residential use. The M-1 district is surrounded by residential areas.

The Director of Planning further reviewed the zoning maps and informed:

Page 1

- Green area - B-3 (basically the 4 corners) - permitted with special exception use.
- Pink area - shows setbacks of everything being outlined.

Page 2

- Basically, the same.

Page 3

- Adds 500' from residential.

Chair Bianca inquired about prohibiting on-site consumption. Commissioner Etting stated we have to be clear that the Town forbids it.

Chair Bianca wants more time to digest this and inquired about time limits. The Director of Planning recommends reviewing again at the April 25th Work Session and reminded a Resolution would have to be received and a public hearing held.

Commissioner Hughes asked about the Moratorium. The Director of Planning stated the Moratorium can go forward.

Ms. Thompson, Town Counsel, advised in the last legislative version the first license begins January 1, 2024 and the second in May.

Commissioner Hughes commented it is important to get this done right.

Discussion on Chapter 165. Comprehensive Plan and Development Regulations, Part 3. Signs, Article XV. Sign Regulations

The Director of Planning distributed an updated version of the above. Signs below certain footage can be put out and do not require permits. The proposed change is on commercial signs:

- Limit to one with a duration.

Subdivision is included in the handout for the Commissioners to review for discussion at the next Work Session.

Discussion on Chapter 165. Comprehensive Plan and Development Regulations, Part 4. Subdivision of Land, Article XVI. Subdivision and Site Development

The Director of Planning distributed the above and advised of little changes. The Commissioners to review for discussion at the next Work Session.

Public Meeting Camera Live Stream Video Quotation

The Director of Administration reported a quote was received for \$10,000 for two cameras and a control panel. The audio is part of the new construction at Town Hall. The Director of Administration needs clarification from the Commissioners on how to proceed. Once the meeting is recorded, it will be archived and be accessible to the public for a specific amount of time. Further questions were about editing and where to live stream the video.

The Director of Administration stated the Town adheres to the Open Meetings Act by posting written minutes online and keeping a file.

Chair Bianca sees more expense than just the equipment and requested estimated figures.

Commissioner Hughes advised written minutes are needed to be available to scan information.

Commissioner Kahoe asked about using Harford Cable Network at the college. The Director of Administration reached out to them and cannot accommodate the Town.

Mr. Keenan advised only minutes are required with approval and questioned how accurate the filming may be. Currently, standards have not been set by the State.

The Director of Administration will obtain a quote for archiving and an estimate for labor to operate the cameras. The decision will have to be made soon about spending the \$10,000.

Commissioner Etting agrees with the importance of written minutes but the video allows those not attending meetings to be informed. Commissioner Etting suggested contacting Aberdeen and Havre de Grace for costs. The Director of Administration looked at Aberdeen and will contact both municipalities.

The Director of Public Works recommends the wiring be done now for installation later.

Maryland House Bill 979 Municipal Elections - Candidates - Reports of Donations and Disbursements

It was not clear if Bill 979 was passed and confirmation will be sought.

Chair Bianca feels this is important even with small town government because transparency is paramount. Commissioner Chance strongly believes this is vital and commented that it is an easy operating procedure. Chair Bianca informed both Aberdeen and Havre de Grace have a campaign finance requirement.

Commissioner Etting advised MML opposed this Bill and did so last year because elections are small and disclosure not needed. Commissioner Etting agrees with MML and stated this Bill requires reporting even if self-funded.

Commissioner Hughes stated this is transparency for voters and the candidates with documents on file. Commissioner Kahoe does not see this as a problem to comply.

Chair Bianca would like to know what is in the Code for Aberdeen and Havre de Grace. The Director of Administration will send information to the Commissioners.

Commissioner Hughes commented this can be done in a simple straight forward and public way. Commissioner Chance stated this is a way to be transparent and should have been here a long time ago. Chair Bianca concurred.

COMMISSIONER'S COMMENTS:

Chair Bianca reported the tree giveaway at the Farmers Market was a great event and appreciates the work of the Tree Committee.

The Kite Festival is on Saturday, April 15th from 10:00 a.m. - 4:00 p.m. at Rockfield Park. Rain date April 16th.

FISCAL YEAR 2024 BUDGET DISCUSSION:

Department Directors not required to attend were excused.

Budget Introduction

The Director of Finance advised the FY24 budget is a balanced budget and reviewed the following:

- Pages 1-7 - Town Administrator's Budget for FY24.
- Page 8 - Budget Work Session Schedule date and time.
- Pages 9-10 - Schedule for each Department budget presentation.
- Page 11 -Presentation for Non-Profit agencies.
- Page 12 - Assessable Base Chart - assessable base for tax categories.
- Page 13 -Property Tax Revenue Growth - displays property tax growth since FY07.
- Page 14 - Capital Improvements Program - to be discussed later in agenda.
- Page 15 - General Fund Revenues FY24 - compares FY24 to FY23.
- Page 16 -General Fund Expenditures FY24 - compares FY24 to FY23.
- Page 17 -Preliminary List of American Rescue Plan (ARPA) - proposals included in FY24 budget.

Highlights of General Fund Revenues

The Director of Finance reviewed:

- Real Property Taxes - housing market prices increased.
- Half Year Taxes - conversations with Assessment Supervisor in Harford County. The amount listed is the half year estimated tax assessment.
- Income Taxes - increased based on last year's figures. The Director of Finance is working on the FY23 Budget Amendment.
- Highway User - received directly from the State. With this, \$50,000 was added to a street project.
- Public Works Fees - hard to budget for the line item. Increased from \$35,000 to \$50,000 and will increase on the expense side.
- Grants - American Rescue Plan (ARPA)- projects in the General Fund and Sewer Fund.
 - Improvements to Homestead Park

- Police - replacement of 3 patrol vehicles
- DPW - replacement of 3 vehicles
- Upgrades to Thomas Street and George Street - engineering is complete.
- Comfort Station at William Street Trail Head at Ma & Pa Trail. Harford County contributing \$175,000.

Commissioner Etting inquired about the maintenance. The Director of Administration stated Parks & Recreation will handle the maintenance.

➤ Improvements to Burns Alley

- Harford County Tax Rebate - reimbursement for having our own Police Department.
- Stormwater Management Harford County - MOU with Harford County. Proposing to use funds for the Environmental Engineering Tech salary. (70% of position does stormwater work)
- Bel Air Armory Fees - based on history. Starting to see comeback from COVID.

Chair Bianca asked how this figure compares to where we are currently. The Director of Finance advised as of March 31st, \$74,000.

- Red Light Camera - projected to increase.
- Interest on Investments - increased. ARPA fund interest is not included.
- Alliance Contribution - from 1st Fridays and clean-up at BBQ Bash. The Alliance is working on sponsorships for the Bel Air 150 Program banners.
- Transfer from Unassigned - Homestead Park project is not complete and a \$35,000 match is required from the Town. Unsure if FY23 or FY24 will house this amount. Grant funds will also be used.

Commissioner Chance inquired about the completion date. The Director of Finance believes the beginning of July.

- Transfer from Capital Reserve - in past years projects were cut from the budgets. The Capital Reserve has been building and was planned to pay a portion of the Police/Town Hall building. Currently, the Police/Town Hall project is on budget and may not need to use Capital Reserve funds. The decision was made to use Capital Reserve funds for Capital projects in this year's budget.
 - Armory Budget - replace gym HAVC unit, façade/concrete repairs, and replace lower level door.
 - Town Building - secure fence for DPW vehicles, Comfort Station security cameras, fence replacement garage area at Rockfield,

Rockfield barn door repairs, DPW locker room renovations, equipment shed gutter and flooding work, and Ma & Pa Comfort Station.

- Planning Department - complete renovation of Plumtree Park, Phase 4 Way Finding study, and drainage issues along S. Main Street and Office Street.
- Street Budget - purchase of new Industrial Air Compressor

The Director of Finance advised the Transfer from Sewer Fund and Transfer from Parking Funds have to be self-sustaining. These will be discussed at a later date.

Updated Reserve Fund numbers will be available soon.

Capital Improvements Program - FY24

- ADM 01 - IT Capital Projects - amount should be \$25,500. Includes replacement of reoccurring laptops, PC's, and tablets.
- PLN 04 - Bike/Pedestrian Improvements - construction of gravel/stone dust trail from Giles Street to Ewing Street and connect with Rockfield Park.
- PLN 06 - Burns Alley Connection - fund construction.
- PLN 08 - Wayfinding Implementation - Phase 4 of project.
- PLN 09 - Plumtree Park - to complete the renovation of the park.
- PLN 12 - Homestead Park - renovations to the park.
- PLN 14 - Thomas/George Street Improvements - large project and more funds needed in the future.
- PLN 15 - JCI Energy Contract - strictly debt service for the energy efficiency project.

Chair Bianca asked if the Town is expecting to break even. The Director of Finance advised an analysis was completed and the Town is seeing savings.

- PD 00 - Police Department Vehicles - replacement for 3 police vehicles and a motorcycle unit. The motorcycle will be purchased with forfeiture money.
- PD 02 - Body Cameras - Purchase was a 5 year installment. Last of the 5 year installment is FY24. Expected to pick up again in FY25.
- PWG 00 - DPW Vehicles and Equipment - replacement of Facilities Manager vehicle, replacement dump truck, replacement Operations Chief vehicle.
- PWG 01 - Renovate/Expand Police Department - debt service. Fiscal Year maturity will be added.

- PWG 02 - Ma & Pa Comfort Station - funded through ARPA. Harford County Parks and Rec to fund 50%.
- PWG 04 - Town Bldg./Prop Cap/Maintenance - replacements in the Comfort Station, masonry work to Bandshell, secured fence for police vehicles, security cameras at Comfort Station, locker room renovation and work on the equipment shed.
- PWG 05 - MS4 Stormwater Management Program - 70% is salary and benefits for the position. Balance for the program.
- PWG 06- Rockfield Manor Bldg./Prop Cap/Maintenance - replacing fence at garage area at Rockfield, barn door repairs, landscape replacement.
- PWG 07 - Armory Bldg./Armory Marketplace Cap/Maintenance - replace gym HVAC, gym ceiling painting, façade/concrete repair, replace lower level door.
- PWP 04 - Parking Garage Lighting Upgrade (JCI)- debt service.
- PWP 06 - Parking Garage Sweeper - debt service.
- PWP 09 - Parking Electric Enforcement Vehicle - debt service.
- PWP 10 - Parking Garage Capital - 2 projects - design enclosure of Pennsylvania Avenue stairwell and paint roof area and floor numbers on each level. Harford County will reimburse 2/3rd.

Chair Bianca wanted to know if Harford County has initiated a project for the garage. The Director of Finance does not recall and the Town does the management. A good relationship has been established with the County.

- PWS 08 - Pumping Station Engineering/Repairs/Replacement - ARPA funds. Design construction drawings for Roland Avenue, Baltimore Pike, and Kelly Avenue Pump Stations. Fund repairs to Shamrock and Gateway Pumping Stations.
- PWS 09, 11, 12 - Debt Service - related to sewer system.

Commissioner Etting inquired if the project on McCormick Street is in the budget. The Director of Finance advised of not being in the budget and will be funded by ARPA money. The engineering information needs to be obtained from the company who went out of business.

The Commissioners had no further questions.

CLOSED SESSION:

At 6:20 p.m. Commissioner Chance moved and Commissioner Kahoe seconded the motion to go into Closed Session to discuss the National Opioid Litigation.

Ayes: Commissioners Chance, Etting, Hughes, Kahoe and Bianca

Nays: None

The motion carried.

REOPENED:

The meeting reopened at 6:40 p.m.

The Commissioners reached consensus in closed session on the following items regarding the national opioid litigation lawsuit(s):

- To dismiss the defendant Covidien.
 - The attorneys advised that they were unable to develop a sufficient liability case against Covidien, and therefore it was their recommendation that the Town of Bel Air no longer pursue claims against them.
- To sign the opt in agreements for the Town of Bel Air in the Teva, Allergan, Walgreens, and Walmart opioid settlements.

ADJOURNMENT:

With no further comments, the meeting was adjourned at 6:40 p.m.

APPROVED: May 1, 2023

Signature on file
Kevin M. Bianca, Chair
Board of Town Commissioners

Signature on file
Michael L. Krantz, Town Clerk