

MINUTES
BOARD OF TOWN COMMISSIONERS
April 19, 2021

Meeting of the Board of Town Commissioners was called to order on Monday, April 19, 2021 at 7:30 p.m. The meeting took place via the *GoToMeeting* virtual platform in accordance with State of Maryland guidelines during the COVID-19 pandemic.

MEMBERS PRESENT:

Mayor Amy G. Chmielewski
Commissioner Erin S. Hughes
Commissioner Donna L. Kahoe
Commissioner Kevin M. Bianca
Commissioner Patrick T. Richards

STAFF MEMBERS PRESENT:

L. Jesse Bane, Town Administrator
Trish Heidenreich, Director of Economic Development
Steve Kline, Director of Public Works
Michael Krantz, Director of Human Resources and Administration
Lisa Moody, Director of Finance
Charles A. Moore, Chief of Police
Patti Parker, Community & Public Relations Manager
Kevin Small, Director of Planning

OTHERS:

Charles Keenan, Town Counsel
Kathi Santora, Recording Secretary

1. CALL TO ORDER:

Mayor Chmielewski called the meeting of Bel Air Board of Town Commissioners on April 19, 2021 to order at 7:30 p.m. She noted that the teleconference allows the Town of Bel Air to conduct normal business during the COVID-19 pandemic and provided guidelines for virtual meeting attendance. She conducted a roll call.

Michelle Preston and Evan Schaule were in the audience and introduced themselves.

Mayor Chmielewski noted that public input regarding Resolution 1164-21 Town Administrator's Budget for FY 2022 is an agenda item. She asked if anyone wanted to provide public comment. None offered at that time.

There was a moment of silence to honor James V. McMahan, "Capt'n Jim", a former town commissioner and local leader who recently passed away. Mr. Bane described Mr. McMahan's lifetime of service to the Town of Bel Air and local residents.

2. APPROVAL OF AGENDA:

Mayor Chmielewski called for a motion to approve the agenda. Commissioner Bianca moved to approve. Commissioner Kahoe seconded the motion. All in favor. The motion carried.

3. APPROVAL OF MINUTES:

Mayor Chmielewski called for a motion to accept the minutes of April 5, 8, 12 and 13th, 2021. Commissioner Bianca moved to approve. Commissioner Kahoe seconded the motion. All in favor. The motion carried.

4. PUBLIC HEARING:

Mr. Bane called on Ms. Moody to provide an overview of the Fiscal Year 2022 Town

Administrator's budget.

Ms. Moody stated that this hearing is an opportunity for the public to provide comment during the early stages of the budget process. The board will consider any input during the four remaining budget sessions. A PowerPoint presentation that outlined the proposed budget appeared on the shared screen.

Tonight's public hearing reviews the General Fund. This is the first of two public hearings. There will be a second public hearing in May to review the Enterprise Funds and Special Revenue funds.

Highlights:

- There is a 5.9% increase in projected expenditures or \$836,704.
- The largest part of the budget is Public Safety, followed by Public Works and General Government operations (remaining departments.)
- Debt service is 5.7% of the budget.

Ms. Moody delineated major expenditures into these categories:

1. **Salaries and Benefits:** The budget allows for new police civilian and police salary scales; staff merit increases and three new positions. These are Police LEAD Executive; Construction Worker II; and a part time HR clerk. Salaries represent 67.2 % of the general fund proposed budget.

There are also funds allocated for Worker's Compensation costs. Rates have recently increased after several years of significant discounts.

There has been a 14.2% rate increase from CareFirst for employee medical coverage. Town staff negotiated this amount after an initial increase of 22.2%. The Town proposes to continue to pay 100% of employee medical insurance premiums, but proposes to eliminate the 35% contribution of the deductible to employee HSA accounts.

Pension contributions are 8.7% to general employee and 9.4% to sworn officer plans.

2. **Expenses:** There is a reduction of \$369,376 in this area, which includes costs of audits, building and structure maintenance, utilities, gas, legal services, marketing, technology, insurance, the red-light camera program and the police department. These are operating expenses.
3. **Capital Expenses:** There is a \$241,105 decrease over the previous year. Current proposed projects include two HVAC mini split units in the lower level of the Armory; replacement of HVAC rooftop unit on the Planning Department building and funds to match a grant for improvements to Homestead Park. These include off-street parking, handicapped access, and provisions for a pickleball court. Next year's capital improvements also include IT hardware and van replacement, three Police Department replacement vehicles and a transfer of \$20K to capital reserve.

There are five street construction projects, four curb/ramp projects and planned replacements of a backhoe loader and trash truck.

4. **Debt Service:** There is an increase of \$505,473. This category includes debts on vehicles and equipment, energy savings projects and estimated financing for future police department/town hall construction.

5. **Community Support:** There is a decrease of \$3,000. These items include funds given to the Bel Air Fire Department, Bel Air Downtown Alliance, Independence Day Committee, Cultural Arts, Boys and Girls Club and parks/recreation programs. Note: the town also provides in-kind services to a wide variety of organizations that support the community and yearly activities.

Ms. Moody then presented the overview of general fund revenues:

There is a 5.9% increase. Highlights:

1. The largest revenue source is property taxes.
2. Other sources include State Shared revenue and licensing and permits.

The proposed real property tax rate increase is \$.04/\$100. Of that, \$.03 would go to police department construction while \$.01 would be directed to operations. Ms. Moody noted that this is a conservative change to the operations budget tax. There have been multiple discussions about how to fairly fund the operations budget without a large tax increase in light of the tax increase needed to fund the BAPD building.

The personal property tax is also proposed to increase by \$.04. This does not represent a total \$.08 increase. These items are simply broken into two categories.

Other revenue sources include grants (County tax rebates, stormwater management), interest/fines and proceeds from vehicle and equipment sales as these items are replaced.

Finally, revenues include transfers from unassigned categories, from capital reserve and from parking and sewer funds. Ms. Moody noted that the unassigned category is not used for reoccurring expenses.

Ms. Moody asked for questions/comments. There were none.

Mayor Chmielewski closed the public hearing at 8:09 p.m. and proceeded to introduce new business items.

5. NEW BUSINESS:

a. Ordinance 802 – 21 Amending Town Code Chapter 37 Elections Section 37 – 18 Absentee Ballots

Commissioner Bianca moved that Ordinance 802 – 21 Amending Town Code Chapter 37 Elections Section 37 – 18 Absentee Ballots be received by the Board of Town Commissioners. Commissioner Kahoe seconded the motion.

Mr. Krantz provided details. This change is a simple amendment to align Town code with the State of Maryland COMAR regulations. He stated that every vote should be counted including absentee ballots. Due to COVID-19 pandemic, staff thought it reasonable to accommodate citizens who want to cast mail-in ballots. The Town wants to make sure that the Town code reflects the State of Maryland code.

The amendment would add the term “mail-in ballot” to the definition of “absentee ballot” in the applicable sections.

The change also matches the definition of timely counting of ballots to the State of Maryland guidelines in COMAR.

A public hearing on this issue is scheduled for Monday, May 3, 2021 at 7:30 p.m., mostly likely in a virtual format.

There were no Commissioner comments. All in favor. Motion carried.

b. Resolution 1165-21 Tentative Fiscal Year 2022 Budget

Mr. Bianca moved that Resolution 1165-21 Tentative Fiscal Year 2022 Budget be received by the Board of Town Commissioners. Commissioner Kahoe seconded the motion.

Ms. Moody clarified that this motion simply served to shift the budget as a Town Administrator's budget to a Commissioners' working (or tentative) budget. This reflects Town charter process.

There were no Commissioner comments. All in favor. Motion carried.

c. Computer Server purchase

Commissioner Bianca moved that computer server purchases from CDW-G for Barracuda back-up servers, Cloud storage subscription license as well as various updates and service agreements in the amount of \$31,625.54 be approved by the Board of Town Commissioners. Commissioner Kahoe seconded the motion.

Mr. Krantz provided the following details: the proposed purchases reflect the Town's commitment to up-to-date technology that backs up computer systems and provides security. Storage needs have increased. The current system doesn't meet expanding needs. Migration of some files has been suspended pending needed updates.

There were no Commissioner comments. All in favor. Motion carried.

d. Purchase of a replacement patrol vehicle

Commissioner Bianca moved that the matter of a replacement purchase for a Ford Explorer patrol vehicle from Hertrich Fleet Services for \$35,573 be received by the Board of Town Commissioners. Commissioner Kahoe seconded the motion.

Chief Moore noted that the proposed vehicle is a 4-wheel police pursuit vehicle. The Town regulations allow for cooperative purchases with other jurisdictions for cost-effectiveness. The supporting documents are submitted. The funds are available in the FY 2021 budget. This purchase provides the BAPD with one marked patrol vehicle that will replace vehicle #26, a 2014 Ford Interceptor sedan, which was totaled in a departmental vehicle crash.

There were no Commissioner comments. All in favor. Motion carried.

e. Contract for Police Station and Town Hall Facility construction drawings

Commissioner Bianca moved that the Commissioners approve the contract for \$251,625.54 with Crabtree Rohrbaugh & Associates (CRA) for construction of the document phase for the Bel Air Police Department and Town Hall expansion. Commissioner Kahoe seconded the motion.

Mr. Small provided details. The Town contracted with CRA to review the existing police/town hall facility and make recommendations for renovation and expansion. Based on this initial feasibility statement, Bel Air contracted in October 2019 to prepare plans for the preferred option. The overall contract now is \$865,363.00, which includes the services of several sub-consultants through the construction and occupation of the facility.

As of this date, CRA has completed schematic and design development. These designs included a reduction of the project's scope to fit with budget needs.

The most recent building estimate is now \$8,537,291.

The next phase will complete all plans and specifications prior to construction bidding.

The Commissioners are now asked to authorize construction documents for architecture and engineering of the facility based on 25% of the overall CRA contract. The cost of construction documents will be \$251,934.55. This phase will address all documents needed prior to bidding and construction. The remaining phase to be contracted is procurement and construction observation.

There were no Commissioner comments. All in favor. Motion carried.

6. PUBLIC ANNOUNCEMENTS:

Mayor Chmielewski invited comments. She stated the Farmers Market has opened for the season from 7:00 a.m. to 11:00 on Saturdays. She thanked the Tree Committee for its work on handing out saplings at the market to celebrate Arbor Day.

Mr. Kline noted that there was a community meeting last Monday at Alice Anne Park. Many residents attended. It is the beginning of the effort to revitalize that park. Those who attended presented many good ideas that will be taken under consideration.

7. PUBLIC COMMENTS:

Mr. Justus Eapen, 210 Wellington Court, introduced himself. He referred to the earlier part of tonight's meeting when the Mayor asked for comments. He inquired if the question was directed to the Commissioners, those in attendance, or both.

Mayor Chmielewski stated it was for the public to speak. Mr. Eapen stated that this was not clear to him. He expressed his viewpoint that he was "totally disgusted" with the meeting. He grew up in the area, just moved back and finds that the Town wants to raise property taxes by 8%. He also stated that the town wants to raise personal property taxes by 3.5%. He was surprised that the Town of Bel Air has the right to tax his personal assets, including stocks, bonds, cars, RVs and art. He considers this a moral outrage.

He stated that no one in the Town knows that these Commissioner meetings happen. He has spoken to a dozen or two residents today. No one knew and no one was happy about the plan to expand the police and town hall buildings. They supported his attendance at this meeting tonight. He objects to the tax increases.

He expressed concern that there were no dissenting opinions in tonight's meeting. He liked it to a "Soviet council meeting."

He says that the term "Police Department expansion" sounds better to "the Republicans that live in this town" than a "Town Hall expansion." He considers the renderings to be "hideous." The current Town Hall is a 1960s monstrosity that is a "Soviet embarrassment to American Architecture."

It should be torn down, so our children and their children won't have to deal with the eyesore. He thinks he is the youngest person in attendance and can't be the only person who understands the long-term negative repercussions. This includes an impact on property values.

He asked if there has been citizen input for an 8% tax increase to expand Town Hall.

Commissioner Richards stated that he is happy to exchange ideas with Mr. Eapon. Mr. Eapon stated that Commissioner Richards didn't respond to his email sent "earlier in the day."

Commissioner Richards remarked that Mr. Eapon seemed intent on "picking people apart." Mr. Eapon stated that he would gladly pick everyone apart since there is not a courageous person in the room. Commissioner Richards noted that this is the first meeting that Mr. Eapon has attended. Commissioner Richards stated that there have been previous work sessions, public meetings and Town Hall meetings where these issues have been discussed in detail. The Town Hall expansion has been in process for two years. Mr. Eapon stated "I will be back."

Mr. Eapon requested a copy of the recording of tonight's meeting. Commissioner Richards invited him to attend any future meetings. Commissioner Richards said that work sessions take place every other Tuesday and public board meetings take place every other Monday.

The Mayor noted that all minutes and recordings are posted on the town's website. Mr. Eapon said it took him and four friends to find the agenda for tonight's meeting. He is glad that he has friends with one standard deviation above an average IQ to help him find these documents.

Commissioner Richards asked if he had a question. Mr. Eapon stated it was a public comment.

Mayor Chmielewski asked for other comments.

Mr. Tyler Williams, 708 Greenglade Ct. He also missed the opportunity for public comment and wanted to add some. This is his first town meeting.

He asked how long the debt service on the newly-expanded police and town hall buildings will last. Ms. Moody stated that this would be a 30-year financing, though nothing has been finalized at this time. It would likely be the same P & I amount every month for 30 years.

He asked if there will be future tax increases to support the project. Ms. Moody stated that the tax rate to fund the building would remain the same for 30 years. There would be no tax increase for that purpose.

Mr. Williams asked, in view of the current pandemic and resulting economic issues, if there has been a discussion on the best time to start this project. Ms. Moody responded in the affirmative and noted that this project has been discussed off and on for years. She has been in her position for 25 years and this is the third time it has been explored. All issues are being taken into consideration.

Mr. Williams asked about the contingency line in the budget. Ms. Moody stated that funds are housed there temporarily every fiscal year. This year it includes a shift to two new salary scales as well as a merit increase. A small amount is related to contingency. These funds are transferred into the specific departmental line items. This happens when the budget is approved.

Mr. Eapon said "So you are saying that the 30-year debt service will add up to a \$13.8 million-dollar expense?" Ms. Moody doesn't have specific numbers. Mr. Eapon asked if any Commissioners have "done the math" on a \$13.8 million expense.

Mayor Chmielewski stated the entire project is in discussions and the budget has not been approved. No decision has been made about raising taxes.

There was a resident who could not be heard via the online platform and the Mayor asked for the person to call in by phone.

Mr. Small asked Ms. Moody to clarify that the proposed tax increase is for \$.04 per \$100 of assessed value. She confirmed. To his question, she doesn't have that information in terms of percentage.

Commissioner Richards asked Mr. Small to give a brief overview of what has transpired in the past two years about the Police/Town Hall expansion and some of the options that have been considered.

Mr. Small provided the following information: The Town looked at the possibility of this expansion in 2006 and 2009. It was shelved both times. Now, the size and condition of the police department and parts of Town Hall cannot be ignored. There have been two public meetings and four retreats to which the public was invited to review the issues and possible ways to remediate. The last was April 2019.

Commissioner Richards also noted that a mass mailing about the subject to all taxpayers took place. It summarized the issues and plans. He suggested that tonight's exchange may yield more visibility and discussion.

Mr. Eapon directed remarks to Chief Moore. He fully supports the police department and getting the BAPD the facilities they need. His objection is to the appearance of the proposed building and the ensuing taxes.

He also asked if it is a "rule" for the commission to vote unanimously for everything.

The Mayor stated that there is no such rule. A review of public records will support this.

Commissioner Richards again invited Mr. Eapon to attend meetings.

Mr. Eapon asked if there are residents who support the plan, especially "with these sketches." He states that 75% of Americans prefer traditional architecture.

Mayor Chmielewski stated that public meetings have reflected overall support for the project. All citizens have had opportunities to speak at these meetings.

Mr. Evan Schaule, 62 E. Broadway, provided comments about traffic concerns on his section of Broadway. He notes that the section of Broadway between Hickory and Main Street is state-owned. The neighborhood has been unsuccessful in getting traffic calming solutions. The Town staff, especially BAPD, has been understanding but have had to defer to State on this issue. The BAPD is visible there daily.

The State has just repaved the road and reinstalled previous signage. They placed "bump-outs" at the Franklin Street intersection. This doesn't offer pedestrian safety. The neighborhood is looking for support from the Commissioners. The residents get no results at the state level. Many worry that it will take a serious injury for this problem to be addressed. He has two small daughters.

The speed limit on the road is 25mph. People drive fast after turning from Main Street.

They are looking to local leadership to help. Perhaps a speed camera or signage with flashing lights would help. He hopes to work together with the Town on a solution. People who ride bikes must ride on sidewalk, there are no bike lanes and no pedestrian safety. He notes that downtown may be walkable, but getting there is not safe.

Chief Moore thanked Mr. Schaule for his comments. The BAPD is considering speed

signs. They are posting one soon on Hickory since that street is under Town jurisdiction. The BAPD is going to assess how that new signage works.

Mayor Chmielewski noted that this complaint has been heard in the past. The BAPD is helping and the Commissioners will support this effort to resolve. The Town is working to make crosswalks more visible.

There were no other comments.

8. COMMISSIONERS' COMMENTS:

There were no other commissioner comments.

9. ADJOURNMENT:

All in favor. Motion carried.

The meeting was adjourned at 8:53 p.m.

Approved: May 3, 2021

Signature on file
Amy G. Chmielewski, Chair
Board of Town Commissioners

Signature on file
Michael L. Krantz, Town Clerk