

MINUTES

BEL AIR BOARD OF TOWN COMMISSIONERS

May 16, 2022

The regular meeting of the Board of Town Commissioners was called to order on Monday, May 16, 2022 at 7:30 p.m. at Town Hall, 39 N. Hickory Avenue, Bel Air, Maryland.

MEMBERS PRESENT: Kevin M. Bianca, Chair
Paula S. Etting
Erin S. Hughes
Donna L. Kahoe

VIA TELEPHONE: Mary F. Chance

STAFF PRESENT: L. Jesse Bane, Town Administrator
Trish Heidenreich, Director of Economic Development
Kevin Small, Director of Planning
Michael Krantz, Director of Administration
Lisa Moody, Director of Finance
Patti Parker, Community & Public Relations Manager
Rowan Glidden, Senior Planner
Charles Keenan, Town Counsel
Catherine Butrim, Recording Secretary

ABSENT: Stephen Kline, Director of Public Works

APPROVAL OF AGENDA:

Commissioner Kahoe moved and Commissioner Etting seconded the motion to approve the Agenda as written.

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

Nays: None

The motion carried.

APPROVAL OF MINUTES:

Commissioner Kahoe moved and Commissioner Etting seconded the motion that the minutes of the Board of Commissioners' meetings held on May 2, 2022, May 5, 2022 and May 10, 2022 be approved as submitted.

Chair Bianca called for any Commissioners' comments on the minutes.

Commissioner Kahoe advised that she recused her vote during the May 10, 2022 Work Session meeting as she was absent.

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

Nays: None

The motion carried.

PROCLAMATION:

National Gun Violence Awareness Day Proclamation

On behalf of the Bel Air Board of Town Commissioners, Chair Bianca proclaimed June 3, 2022 National Gun Violence Awareness Day.

The representatives for National Gun Violence Awareness thanked the Town of Bel Air for acknowledging the effects of gun violence in America, and they pledged to keep working to prevent gun violence in our community.

PUBLIC HEARING:

Resolution 1184-22 Fiscal Year 2023 Tentative Budget

Ms. Moody, Director of Finance, presented a PowerPoint on the Enterprise Funds, Sewer and Parking, and the Special Revenue Fund.

Ms. Moody reported that the **Sewer Fund** should be self-sustaining because it acts as a business; therefore, some of the accounting is treated differently from the General Fund. The **Sewer Fund** has a budget of \$3,461,330, which is \$988,520 higher than in FY22.

Ms. Moody reported the following **Total Sewer Fund Revenues**:

- The base charge, based on the meter size, and the rate per 1,000 gallons in the Sewer Service Charges, including a 4.7% increase based on the December 2021 Consumer Price Index.
- The rate would increase from \$6.19 to \$6.48 (\$.29) per 1,000 gallons, effective July 1, 2022.
- An estimated \$890,000 of American Rescue Plan (ARPA) monies will allow the Town to complete engineering evaluations and substantial repairs and replacements to multiple pumping stations.

Ms. Moody reported the following **Total Sewer Fund Expenses**:

- \$602,148 will fund the routine expenses to operate/maintain the sewer system (i.e., salaries, utilities, supplies, maintenance/repairs and outsourcing of sewer bills).
- \$1,573,024 will fund the payments to Harford County, which transports and treats the Town's sewage.
- \$382,580 will reimburse the General Fund for its pro-rata share of salaries, benefits and overhead that are attributed to the fund's operations.
- \$890,000 will fund engineering evaluations for three pump stations, as well as substantial repairs and replacements to two additional pump stations. ARPA will enable the Town to complete this.
- \$13,578 will fund only debt service payments for existing bonds.

Ms. Moody reported that the Parking Fund has a proposed budget of \$524,474, which is \$22,890 higher than in FY22.

Ms. Moody reported the following **Total Parking Fund Revenues**:

- Harford County reimburses the Parking Fund 2/3 of the operating costs (\$117,582).
- Harford County also reimburses the Parking Fund 2/3 of an annual contribution to the Capital Improvement Reserve account (\$10,080).
- There are three main sources of revenue:
 1. Meter collection – Town's meters, parking garage, vouchers, Smartcards, and Parkmobile (\$125,000).
 2. Parking fines – based on history (\$115,000)
 3. Lease fees – actual monthly leases for the three lots and the parking garage (\$71,411).

Ms. Moody reported the following **Total Parking Fund Expenses**:

- Lots - \$181,108 for operations, including monies owed to the General Fund for its pro-rata share of salaries/benefits/overhead attributed to the Parking Fund's operations.
- Parking Garage - \$170,231 for operations, including monies owed to the General Fund and funds to pay for interest-only debt service payments.
- Parking Garage - \$15,000 to transfer to the Capital Improvement Reserve for future capital work.
- Other - \$158,135 mainly for depreciation costs on capital expenses and a 19% collection fee paid to the vendor who processes the majority of the Town's parking tickets.

Ms. Moody reported that the **Special Revenue Fund** has a budget of \$346,497, which is \$10,494 higher than in FY22.

- Purpose is to account for grants/special projects that do not lend themselves to the normal fiscal year budgeting.
- Community Development Block Grant (CDBG) Project - \$80,357 represents the remaining FY21-23 allotment grant years and a COVID special allowance. Funding will be used to resurface Howard St./Rockspring Rd. and to replace windows at the Armory.

- Community Legacy Grant - \$100,000, which will support Phase II of the Court House Square Project (new paving, sidewalks, landscape, lighting, curbs, and graphics).
- Community Parks & Playground Grant - \$115,000, which will provide new recreational activities, provide off-street parking and handicapped access to Homestead Park. A \$35,000 required match is included in the General Fund budget.

Chair Bianca called for Commissioner comments. There were none.

Chair Bianca called for public comments. There were none.

Chair Bianca closed the public hearing.

NEW BUSINESS:

Resolution 1186-22 Fiscal Year 2023 Final Budget

Commissioner Hughes moved and Commissioner Kahoe seconded the motion that proposed Resolution No. 1186-22, providing for the adoption of a Final Budget for the Town of Bel Air for fiscal year 2023, be adopted by the Board of Town Commissioners with the following amendments:

GENERAL FUND

1. Increased "American Rescue Plan (ARPA)" by \$115,000.
2. Increased "Transfer from Capital Reserve" by \$21,600 to balance the budget.
3. Increased "Salaries/Benefits" in the various departments for monies "stored" in the "Other" account within the Miscellaneous Department for the 2% COLA for a total of \$181,157.
4. Increased "Benefits" in the various departments by \$28,350 to reinstate the Town funding of the HSA (35% of the deductible).
5. Increased "Expenses" in the Planning Department by \$65,000 for a Parking Study, which ARPA will enable the Town to complete.
6. Increased "Expenses" in the Economic Development Department by \$50,000 for a Market Study, which ARPA will allow the Town to complete.
7. Eliminate the \$1,000 contribution to the Army Alliance and increase the contribution to LASOS by \$1,000, which is a net \$0 effect to the "Miscellaneous Expenses" in the Miscellaneous Department.
8. Decreased "Contingency" in the Miscellaneous Department by \$181,157 to transfer the monies for the 2% COLA to the applicable salary and benefit accounts in the various departments.
9. It is the intention of the Board to utilize ARPA monies to pay for Town General Fund operational expenses (salaries/benefits) in the amount shown in the budget, \$1,613,195, which will then enable the Town to use those monies to pay for the various projects as outlined on page 17 in the FY23 budget.

SEWER FUND

1. Increased "Salaries/Benefits" for the monies "stored" in the "Other" account for the 2% COLA and reinstatement of the Town's HSA contribution to 35% for a total of \$5,035.
2. Decreased "Town Operation Expenses" for the monies "stored" in the "Other" account by \$4,563 to transfer the monies for the 2% COLA to the applicable salary and benefits accounts.
3. Decreased "Harford County Charges" by \$472 to balance the fund.
4. It is the intention of the Board to utilize ARPA monies to pay for Town Sewer Fund operations (treatment of sewage) in the amount shown in the budget, \$890,000, which will then enable the Town to use those monies to pay for the various projects as outlined on page 17 in the FY23 budget manual.

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

Nays: None

The motion carried.

Acceptance of Fiscal Year 2021 Audit

Commissioner Etting moved and Commissioner Hughes seconded the motion that the Audit for FY 2021, ending June 30, 2021, completed by SB & Company, LLC, be accepted by the Board of Town Commissioners.

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

Nays: None

The motion carried.

McCormick Street / Daniel Court Stormwater Closed System Design

Commissioner Kahoe moved and Commissioner Etting seconded the motion that the proposal by George William Stephens, Jr. & Associates, Inc., 4692 Millennium Drive, Belcamp, Maryland to provide consulting engineering services for Localized Flooding and Drainage Problems in the Harford Woods watershed area in the amount of \$53,200 be accepted by the Board of Town Commissioners.

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

Nays: None

The motion carried.

PUBLIC ANNOUNCEMENTS:

Chair Bianca announced that Garden Mart will be held at the Bel Air Armory on May 20, 2022 from 8:30 a.m.-1:30 p.m.

Chair Bianca announced that Blood Drives sponsored by the Harford County Association of Realtors will be held at the Bel Air Armory on May 18, 2022 and May 24, 2022 from 10:00 a.m.- 3:00 p.m.

Commissioner Hughes announced that the Town of Bel Air is conducting a quarterly Community Clean-Up on Sunday, May 22, 2022 at 10:00 a.m. Participants should meet in front of the Armory and bring gloves to protect their hands.

PUBLIC COMMENTS:

Fran Johnson, 124 Archer Street, stated that she hopes there will be enough money in the General Fund to bring suit against the Board of Education regarding the plan for the upgrade of the Homestead-Wakefield campus. Ms. Johnson stated that she understands that the Town of Bel Air is going to be sued by the Board of Education; and if that is the case, and the Board of Education is challenging the Planning Commission's authority, we have a problem.

Ms. Johnson advised that she attended the Planning Commission meeting in April, when the Planning Commission stated that it will not approve the final plan for the Homestead-Wakefield campus because it did not appropriately address something that has been in the Town's Comprehensive Plan since 1959, specifically the connection between East and West MacPhail Roads.

Ms. Johnson stated that Harford County's reaction to this road connection being in the Comprehensive Plan has, over the years, been to brush the Town off, the implication being that they cannot possibly address this wish list because it would require demolishing the schools. Ms. Johnson stated that the County implied that when the schools were redeveloped, they would certainly look at it and acquiesce to whatever was in the Town's Comprehensive Plan. Ms. Johnson stated that now would be the appropriate time, with the revision of the Homestead-Wakefield campus, to require the connection between East and West MacPhail Roads.

Ms. Johnson stated that the *Bel Air Patch* has stated that the Board of Education was taking objection to the Planning Commission's decision on the grounds that the Town of Bel Air is overstepping its authority. Ms. Johnson stated that this raises a tricky legal question regarding whether the Board of Education has authority that trumps the Planning Commission. Ms. Johnson advised that the Board of Education is stating that it would be a hardship with delays, increased costs and safety. Ms. Johnson stated that she thinks there is legal precedent that hardship cannot be something that you have caused yourself. Ms. Johnson stated that the Board of Education is causing the problem by not complying with the Comprehensive Plan that the Town has set forth and the County has tacitly accepted over the years.

Ms. Johnson stated that there are a lot of issues here, not the least of which is the disrespect for the Town. Ms. Johnson noted that the Board of Education accepted the Town's \$1,000,000 to build the auditorium at Bel Air High School and then did not allow the Town to use the auditorium.

Ms. Johnson questioned how the representatives from Harford County Public Schools did not know about the requirement for the road connection when they came to the April Planning Commission meeting. Ms. Johnson stated that they agreed to abide by the restriction that a road would be provided, and now the Board of Education does not think it needs to do that.

Ms. Johnson stated that there are logical reasons for a through road. Ms. Johnson stated that it is a matter of public safety, and the campus is public land. Ms. Johnson stated that the public should have access to the school campus and access through the campus.

Ms. Johnson strongly urged the Town Commissioners to make whatever representations are necessary to the Board of Education that it has to comply with the decision of the Planning Commission.

Gerry Rowe, 404 McCormick Street, thanked the Town for moving forward with the stormwater project at McCormick Street. Mr. Rowe advised that it is very frightening when the storms come through each year, and it means a lot to him that the project is moving forward.

COMMISSIONERS' COMMENTS:

Commissioner Etting thanked the Town's Department of Public Works for all the attempts that have been made to remediate the flooding problems at Mr. Rowe's home and for taking the next step to figure out the solution.

ADJOURNMENT:

The meeting was adjourned at 8:16 p.m.

Approved: June 6, 2022

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

Signature on file
Michael L. Krantz, Town Clerk