

**TOWN OF FOREST HEIGHTS  
PUBLIC HEARING AND  
COUNCIL WORK SESSION MEETING**

Monday, January 9, 2023  
Municipal Building  
ForestHeightsFacebook  
Zoom Dial-In 1-301-715-8592  
Meeting ID: 86008316885

Agenda

- I. Call to Order
- II. Roll Call
- III. Moment of Silence
- IV. Pledge of Allegiance to the Flag of the United States of America
- V. Approval of Consent Agenda
  - a. Minutes from November 7, 16, Public Hearing, December 5, and December 21, 2022, meeting.
- VI. Approval of Main Agenda
  - a. Public Hearing A22-03: A proposed Ordinance No. 06-22. An ordinance of the Mayor and Council of the Town of Forest Heights Granting a renewal of the Cable Franchise to Comcast of Maryland, LLC and authorizing a Franchise Agreement. (Public Comments)
- VII. Reports
  - a. Treasurer
  - b. Public Works
  - c. Ombudsman
  - d. Code Enforcement
  - e. Police Chief
  - f. Program Manager
- VIII. Councilmember/Mayor Report
  - a. Ward I
  - b. Ward II
  - c. Ward III
- IX. Legislation
  - a. A proposed Ordinance No. 06-22. An ordinance of the Mayor and Council of the Town of Forest Heights Granting a renewal of the Cable Franchise to Comcast of Maryland, LLC and authorizing a Franchise Agreement.
  - b. Resolution 01-23 A resolution to approve Merit System Pay Scales for the Town of Forest Heights General Government Employee's and Sworn Personnel.
  - c. Resolution 03-23 A resolution to approve substantive updates to the Town of Forest Heights police department general orders, policy, and procedures.
  - d. Resolution 04-23 A resolution to approve the purchase of a vehicle and associated snow removal equipment for the department of public works.
  - e. Resolution 05-23 A resolution to approve a proposal and contract with JB Parking Lot Striping, Inc. for painting and maintaining curbing area for fire hydrants, stop signs, handicap ramps (ADA Compliance) and curbiage.
  - f. Resolution 06-23 A resolution to approve a proposal and contract with Truseal Asphalt Maintenance, Inc. (Truseal) for roadway maintenance, speed bump removal, and speed hump installation.

- g. Resolution 08-23 A resolution to Election not to renew a contract with Faulkner Lawn Care & Construction Inc. for Landscaping and Snow Removal Services and Ratify a notice letter regarding the decision.
- h. Resolution 09-23 A resolution to approve a proposal and contract with Truseal Asphalt maintenance, Inc. (Truseal) for Forest Heights Community Garden Area New Water Supply service.
- i. Resolution 72-22 A resolution to authorize the Mayor and Town Council to accept the proposal to renew a contract with ASIL Public Relations, LLC., to maintain community engagement/public relations for the Town of Forest Heights.
- j. Resolution 73-22 A resolution to award a contract for auditing services for the Town of Forest Heights for Fiscal Year 2022 and 2023 to Francis J. Disalvo, CPA to perform the years ending June 30, 2022, and June 30, 2023.
- k. Charter amendment resolution number 01-23 A charter amendment resolution of the Mayor and Council of the town of Forest Heights, Maryland, to amend Section 33-18 (Powers and Duties) of the Charter to require that all subordinate officers and employees of the offices, departments, and agencies of the Town Government shall be appointed and removed by the Town administrator with the consent of the Mayor, in accordance with the rules and regulations of any merit system which may be adopted by the Council; and to amend Section 33-67 (Merit System) of the charter to clarify and expound on the power of the Council to adopt or delegate such rules and regulations governing the operation of a merit system and generally relating to Town employees and the administration of Town government.

- X. Public Period (limit 2 minutes)
- XI. New Business
- XII. Closed Session
- XIII. Adjournment

**Town of Forest Heights**  
**Town Work Session- 7:30 PM**  
**Monday, January 9, 2023**  
**Meeting Minutes**

**Call to Order:** 7:35 PM

**Roll Call:** CW Barnes, CM Kennedy, II, CM Hines, CW Noble, CP Lilly and Mayor Washington present. CM Atkinson was not present; quorum established.

**Moment of Silence:**

**Pledge of Allegiance:**

**Approval of Consent Agenda,** Motion by Mayor Washington to approve the consent agenda; Seconded by CM Kennedy, II; all in favor; Motion passed.

**Approval of Agenda,** Motion by Mayor Washington to approve the agenda; Seconded by CM Hines, II; all in favor; Motion passed.

Mayor Washington opens up for the public hearing 22-03 the Town of Forest Heights is a proposed Ordinance No 06-22 An ordinance of the mayor and council of the Town of Forest Heights granting a renewal of the cable franchise to Comcast of Maryland, LLC. and authorizing a franchise agreement.

Mayor Washington explains what the Ordinance No 06-22 and open up for public comment- None

**Staff Reports:** All staff reports can be picked up from the clerk's office or the town website.

Mayor Washington stated that he would like to approve all Legislation tonight.

Ordinance No. 06-22: An ordinance of the Mayor and Council of the Town of Forest Heights Granting a renewal of the Cable Franchise to Comcast of Maryland, LLC and authorizing a Franchise Agreement. Mayor Washington motion to waive the full reading; Seconded by CM Hines; all in favor. Mayor Washington motion to adopt Resolution 01-23; Seconded by CM Kennedy, II; discussion- none; Vote 4 Yes 0 No; CM Barnes bad connection. Motion passed.

Resolution 01-23: A resolution to approve Merit System Pay Scales for the Town of Forest Heights General Government Employee's and Sworn Personnel. Mayor Washington motion to waive the full reading; Seconded by CM Hines; all in favor. Mayor Washington motion to adopt Resolution 01-23; Seconded by CM Kennedy, II; discussion- none; Vote 4 Yes 0 No; CM Barnes bad connection. Motion passed.

Resolution 03-23: A resolution to approve substantive updates to the Town of Forest Heights police department general orders, policy, and procedures. Motion by Mayor Washington to waive the full reading; Seconded by CM Kennedy, II; all in favor; Motion to adopt Resolution 03-23; Seconded by CM Kennedy, II; discussion-None; Vote 5 Yes, 0 No; Motion passed.

Resolution 04-23: A resolution to approve the purchase of a vehicle and associated snow removal equipment for the department of public works. Motion to waive the full reading; Seconded by CM Kennedy, II; all in favor; Motion by Mayor Washington to adopt Resolution 04-23; Seconded by CM Kennedy, II; discussion; A/Town Administrator John O'Conner, ask to amend the total project not to exceed striking \$70,628 and entering \$81,004.00 and I'm striking plus the 10% all the way through to seventy. Vote 4 Yes; 0 No; CM Barnes bad connection. Motion passed.

Resolution 05-23: A resolution to approve a proposal and contract with JB Parking Lot Striping, Inc. for painting and maintaining curbing area for fire hydrants, stop signs, handicap ramps (ADA Compliance) and curbiage. Mayor Washington motion to waive the full reading; Seconded by CM Hines; all in favor; Mayor Washington to adopt Resolution 05-23; Seconded by CM Hines; discussion.

CP Lilly, cite where is this pedestrian crosswalk restriping being done? Does it include, is it on one side of the town or is it on both sides? Mr. O'Conner stated that it includes the whole jurisdiction. Also, that includes the intersection at Livingston Road and Comanche Road. The bounty of the town?

CM Kennedy, II ask is this basically paint or is this torch down paint? Mayor Washington mention It's a high prismatic paint, any of the torch down material would be in the vehicle areas but they're going to be used high prismatic paint. CM Kennedy, II So, just out of curiosity can public works do? Mayor public works unfortunately at this time does not have the capacity to get all of the curbiage done in an expedited time frame. However, they are and will be training to maintain it after this contractor does get it up to standard. Vote 4 Yes; No 0; CM Barnes bad connection to vote. Motion passed.

Resolution 06-23: A resolution to approve a proposal and contract with Truseal Asphalt Maintenance, Inc. (Truseal) for roadway maintenance, speed bump removal, and speed hump installation. Mayor Washington motion to waive the full reading; Seconded CM Hines; all in favor; Motion by Mayor Washington to adopt Resolution 06-23; Seconded by CM Kennedy, II; discussion;

CP Lilly thanks them for having the proposal to show exactly where the work is going to be done.

CM Kennedy, II, has a query that needs to be clarified. It's outside the school, right? Since the school's location is 800 Comanche Drive, it is therefore in front of the building, which is called Comanche. despite being on Quade Street.

Chief Rease confirmed the query, stating that it did indeed contain it does intersect. That little, small stretch going into the school is actually Spokane. Vote 4 Yes; No 0; CM Barnes bad connection to vote. Motion passed.

Resolution 08-23: A resolution to Election not to renew a contract with Faulkner Lawn Care & Construction Inc. for Landscaping and Snow Removal Services and Ratify a notice letter regarding the decision. Mayor Washington motion to waive the full reading; Seconded CM Kennedy, II; all in favor; Motion by Mayor Washington to adopt Resolution 08-23; Seconded by CP Lilly; discussion; none; Vote 4 Yes; No 0; CM Barnes bad connection to vote. Motion passed.

Resolution 09-23: A resolution to approve a proposal and contract with Truseal Asphalt maintenance, Inc. (Truseal) for Forest Heights Community Garden Area New Water Supply service. Mayor motion to waive the full reading of Resolution 09-23. Second by CM Kennedy, II. All in favor; Mayor motion to adopt Resolution 09-23; Seconded by CP Lilly; discussion;

CM Kennedy, II have a question. Will there be 2 active spigots with enlarged hose, in order for, there to be water at the front and the back with the constant water supply. I do have a question, CM Kennedy, II, have we involved the people that brought the people that have created this garden?

A/Town Administrator Mr. O'Connor mentions that he brought Mrs. Hawkins out there as a representative of the group and walked it with the contractor, and she laid out the expectations that had been set by the group.

A/Town Administrator Mr. O'Connor, The spigots are going to be in the front and the back and it's the best way for the contractor with WSSC at the best cost as well and the hoses will stretch the entire garden. There should be no issues with flying water to the front or the back. It's going to be amazing.

Mayor Washington commented to one of the residents, Ms. Clark. I understand your worries, but we've done everything we could to guarantee that you have water in the front and rear of the garden, and we don't need to fill any water tanks or run 400 feet of hose to give you with water.

CP Lilly stresses, you can connect as many adapters to this spring as you like. It will have enough pressure (PSI) for you to run a pair of hoses.

Resolution 72-22: A resolution to authorize the Mayor and Town Council to accept the proposal to renew a contract with ASIL Public Relations, LLC., to maintain community engagement/public relations for the Town of Forest Heights. Mayor Washington motion to waive the full reading; Seconded by CM Hines; all in favor. Mayor Washington motion to adopt Resolution 72-23; Seconded by CM Kennedy, II; discussion-

CP Lilly stated that the last time the resolution was brought to the council, it was missing some information on timing and how long it would take to post on social media; that information is now present: 48 hours. Vote 5 Yes; No 0; Motion passed.

Resolution 73-22: A resolution to award a contract for the auditing services for the Town of Forest Heights for fiscal years 22 and 23 to Francis J DeSalvo CPA to perform the years ending June 30th, 2022, and June 30th, 2023. Mayor Washington motion to waive the full reading; Seconded by CM Kennedy, II; all in favor; Mayor Washington to adopt Resolution 73-23; Seconded by CM Kennedy, II; discussion:

Mayor Washington read aloud This resolution essentially awards a contract for auditing services to Francis J. DeSalvo, CPA, for the years ending June 30th, 2022, and June 30th, 2023. We're trying to finish our audits and get things done, as you know, and he's quite familiar with our finances here at the Town of Forest Heights. So, we'd want to have him go ahead and do these closing audits so we can get caught up.

CM Noble requested that Ms. Dorsey provide an update on the audit schedule if anybody had participated or planned participating.

Town Financial Consultant Ms. Dorsey, we don't have any anticipated schedules. What I can tell you is that 98% of what is required of us has been given to UHY and so they're doing their review had if had we've been with just with Mr. DeSalvo, FY21 would probably be done now. So, we're waiting on UHY. We've already started just doing some preliminary stuff with FY 22, but the Plan is to be on schedule to have FY 23 completed on time and it's due at the end of October.

A/Town Administrator O'Conner, reintroduced as to why the resolution was not passed at the last meeting, said that we were waiting on the contract, which has now been attached to the resolution. Vote 4 Yes, 0 No; CM Barnes had connection to vote; Motion passed.

Charter Amendment Resolution 01-23 a Charter Amendment resolution of the Mayor and Council of the Town of Forest Heights, Maryland to amend section 3318 powers and duties of the Charter to require that all subordinate officers and employees of the offices, department, and agencies of the Town Government shall be appointed and removed by the town administrator with the consent of the mayor in accordance with the rules and regulations of any merit system which may be adopted by the council and to amend section 3367 merit system of the charter to clarify and expound on the power of the Council to adopt or delegate such rules and regulations governing the operation of a merit system and generally relating to town employees and the administration of Town Government. Mayor moved it we waved a full reading of Charter Amendment Resolution 01-23. Mayor Washington motion to waive the full reading; Seconded by CM Hines, II; all in favor;

Town Attorney Best stated that with the Charter Amendment if you don't mind, we're seeking the public hearing and the usual standard course that goes along with the Charter Amendment. 21 days.

According to the mayor, the hearing will be held on the first Monday of February, which is February 6th. The hearing is planned at 7:30 p.m.

#### **Public Period - None**

#### **New Business**

Councilman President Lilly, I was talking with some residents recently and I was wondering if there's a possibility of considering that some of the waste product that's collected by public works such as leaves, brush and other items could be considered for compost or other or other organic soil material that can be used by the town or by residents. I think there's maybe been conversation about it in the past on an employee to resident level, but I wanted to see if the Department of Public Works could consider that as a policy or something we could implement townwide.

Chief Rease answered that they could. I'll meet with CP Lilly and go over the details.

#### **Motion by Mayor Washington to enter a Closed Session; seconded by CM Kennedy II**

For a meeting closed under the statutory authority cited:

(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

(7) To consult with counsel to obtain legal advice

Time of closed session: 8:22 pm

Place: Town Hall, 5508 Arapahoe Drive Forest Heights MD

Back in session closed at 9:38pm.

Purpose(s): To consult with counsel to obtain legal advice

Members who voted to meet in closed session: CM Lilly, CM Barnes, CM Kennedy II, CM Hines, CM Noble and Mayor Washington

Persons attending closed session: CM Lilly, CM Barnes, CM Kennedy II, CM Hines, CM Noble and Mayor Washington, Attorney Best, A/Town Administrator Mr. O'Connor, Chief Rease, Capt. Jones, and Town Clerk Mrs. Hawkins.

Authority under meeting cited above:

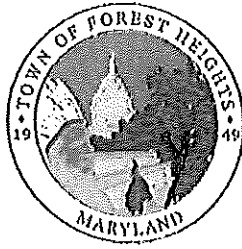
Actions taken: To review the resolution's

Each recorded vote: None

Resolution 07-23 a resolution of Mayor Council of the Town of Forest Heights, Maryland accepting the resignation of Mr. Lynnwood Robinson from the Office of Town Administrator and approving a separation agreement. Mayor Washington motion to waive the full reading; of Resolution 02-23, Seconded by CM Kennedy, II; all in favor; discussion- none. Vote 4 Yes, 1 no; Motion passed.

Adjourned: 10:01pm

Minutes by Sherletta Hawkins Town Clerk



# **Notice of Public Hearing**

## **A22-03**

### **TOWN OF FOREST HEIGHTS**

**A proposed Ordinance No. 06-22. An Ordinance of the Mayor and Council of the Town of Forest Heights Granting a renewal of the Cable Franchise to Comcast of Maryland, LLC and authorizing a Franchise Agreement.**

#### **Purpose**

**Notice is hereby given that The Town Council of the Town of Forest Heights, as noted above, will hold a public hearing on Ordinance No. 06-22.**

***This hearing will allow both virtual and in-person participation.***

**Hearing No. A22-03**

**Monday, January 9, 2023, 7:30 p.m.**

**Town Hall**

**5508 Arapahoe Drive,**

**Forest Heights, MD 20745**

**Virtual Access Dial-in 301-715-8592**

**Meeting ID: 860 0831 6885**