



# Town of Berwyn Heights

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**MAYOR**  
Jodie Kulpa-Eddy

**COUNCIL MEMBERS**  
Christopher Brittan-Powell (Mayor Pro Tem)  
Shinita Hemby  
Faustino Menjivar  
Jason W. Papanikolas

## Work Session Minutes August 1, 2022| 7:00 p.m.

### Call to Order

Mayor Jodie Kulpa-Eddy called the meeting to order at 7:07PM, slightly delayed by technical issues. Also present were Mayor Pro Tem Chris Brittan-Powell, Councilmember Shinita Hemby, Councilmember Jason Papanikolas, Town Manager Laura Allen and Town Clerk Melanie Friesen. Joining via Zoom was Nils Herdelin from American Legal Publishing; Monica Marquina, Nathan Shearer, David Wilkins, and Abolanle Onasanya from WSSC; and Erin McClure, Sylvette La Touch-Howard and Tracy Zeeger from the University of Maryland School of Public Health. Also present were several residents of the Town of Berwyn Heights. Councilmember Faustino Menjivar had an excused absence.

### Approval of the Agenda

CM Papanikolas suggested amending the agenda to include attachments for item 5.a. He then moved to approve the agenda as amended. CM Hemby seconded. After no further discussion, the motion passed unanimously.

### 1. Mayor

#### a. Announcements

Mayor Kulpa-Eddy announced that National Night Out will be at the Town Center on August 2<sup>nd</sup> at 6PM. Food will be served, and many town organizations will be present. She shared that Public Works will be continuing extra yard waste pick-ups and that Code Compliance will not be doing any tree debris related enforcement through the end of August. She added that M-NCPPC has responded to the Town's request for information on the cleanup at Indian Creek Playground. M-NCPPC has replied that they are unable to begin tree debris removal until they are able to install fencing to secure the area for safety reasons. Once secured, they will remove the debris and then evaluate the playground equipment for safety and if needed install fencing around damaged equipment and repair it. Mayor Kulpa-Eddy also announced that the Police Department is experiencing an extended internet and phone outage. Technicians are working to restore these services, but a temporary number (240-278-5514) has been set up if you need to reach the PD office.

#### b. Presentation: Codification Agreement questions

Nils Herdelin from American Legal Publishing reviewed the purpose and function of codification. He explained the numbering system that American Legal uses to compile Town Ordinances into a book of Code. He also was asked to explain the process of editing for consistency, including making punctuation and capitalization consistent throughout the document as well as making references to the Town consistent throughout. He used the example that one ordinance may use the term "code enforcement" when another may use "code compliance". MPT Brittan-Powell asked why we are pursuing codification. TM Allen explained that this is an item that has been identified by previous administrations that needs to be completed. The Council has

included it in this and previous budgets, but it had not been completed mostly due to Covid. Mayor Kulpa-Eddy expressed concerns about changing the language in the Code and asked if the document could be viewed during the process so that changes could be made if the Council identified issues. Mr. Herdelin explained that it was unlikely that Council would be able to see the document in process but that when they have completed compiling and editing the document, the Town would have 90 or more days to review the document to ensure that there are no issues. American Legal can make changes after the review period. Council consensus was to use the American Legal Publishing numbering system and to allow editing for consistency.

**c. Presentation: WSSC assistance programs**

Ms. Monica Marquina began the presentation by introducing her colleagues and walked through an overview of WSSC. After the overview, Mr. Nathan Shearer walked through the past due accounts on both a high level and drilled down to Berwyn Heights. He reviewed that the number of overall past due accounts is down across the bi-county service area from those at the height of the pandemic, but that most parts of the county still have a significant number of past due accounts. Berwyn Heights has 112 past due customers, the majority of those being residential customers. He expressed that despite improvement in the number of delinquencies, inflation was likely making that improvement level off. Mr. Shearer continued that since WSSC is a non-governmental entity, they are limited in the type of relief they can offer residents, as they are not ARPA recipients. He explained that they have two programs available, payment plans and the Customer Assistance Program (CAP). Both of these programs are under-enrolled and the process is not that involved. He explained that one difficulty with the payment plan is that the charges continue to accrue while customers are working on their past due invoices. Resident Jose Valcarcel asked how many of the past due accounts are only 2-3 years old. Mr. Shearer responded that most of the accounts occurred in the last two years with only about 19 accounts being older than 2 years. Ms. Marquina shared more about the financial assistance programs including CAP; as well as the Bay Restoration Fund Fee Exemption; the Water Fund which can provide assistance with water and sewer bills up to \$500 a year which is paid for by customer and employee donations; flexible payment plans; and bill adjustments which can help residents with high bills once every three years. She shared about a statewide program called the Low-Income Household Water Assistance Program (LIHWAP) which will be administered by the Prince George's County Health and Human Services. Grants are available from \$100-\$2000 per household. However, she anticipates that this funding will go quickly. She then reviewed ways other municipalities in the bi-county service area had spent ARPA funds on water assistance programs in cooperation with WSSC. MPT Brittan-Powell asked about communication to the residents. Ms. Marquina replied that when the State sent the LIHWAP money, WSSC sent notifications. They are working to notify residents that they know will qualify for LIHWAP funds. Mayor Kulpa-Eddy asked if the Town can receive information on the programs in both English and Spanish. Ms. Marquina replied that there are flyers that can be delivered to the Town in hard copy or PDF. MPT Brittan-Powell asked if it was possible to get information on the residents who are behind so that the Town can target their outreach. Ms. Marquina stated that it is illegal to share information on an individual's debt, so the only way would be to reach out to every resident in Berwyn Heights. Abolanle Onasanya spoke about the WSSC water main replacement project on Edmonston Road. The most recent project completion date estimate is August 31, 2022. She explained about the delays caused by supply chain issues. There is only one spot that is left to complete, and they anticipate having the necessary parts in the next week or two. After that section is completed, they will begin to mill and repave the road. David Wilkins shared about his role as a

Customer Service Advocate and that he is available 24/7. His phone is always on unless he is out of the State. Resident Claudia Barragan asked Ms. Onasanya about the construction and requested a definitive date of completion, as her car was damaged by the pavement on Edmonston. Ms. Onasanya explained that the materials are still delayed, but that they believe the repairs will be completed in a couple of weeks. Once the water main project is complete, they will mobilize the paving project. Ms. Barragan asked WSSC and Councilmembers to commit to a date in writing. Ms. Onasanya explained most paving projects are completed within 90 days of the replacement project being completed. However, she will reach out to the paving service and see if they can begin working on the pavement at the far end of Edmonston early so as to complete the overall project earlier. MPT Brittan-Powell asked Mr. Wilkins if the Town could provide materials to WSSC that they can put into mailings for the residents in need. He discussed the possibility of putting mailings in all resident's mail. He will reach out to Mr. Shearer to determine if something could be put in the billing statement of the targeted residents.

**d. Presentation: UMD School of Public Health Deans and Draft Agreement**

**Introduction**

MPT Brittan-Powell introduced Erin McClure and introduced Sylvette Le Touche-Howard and Tracy Zeeger as inaugural leaders of the School of Public Health (SPH) practice. He expressed his excitement at working with them. Ms. McClure began discussing the draft agreement. She had taken feedback from the initial meeting in June to update the agreement. The SPH has been working on foundational documents for dissemination to students who are looking for internships. She added that these documents will have addendums as more information is available. Mayor Kulpa-Eddy stated that it was difficult to discuss the agreement as it hadn't been sent to staff to post prior to this meeting and asked for an overview. Ms. McClure stated that the agreement had been sent to Claudia Barragan who translated it into Spanish for her organization. Ms. McClure shared that the introduction portion of the agreement shares information about the Town and the SPH, including demographics and resources. It also highlights the University's strategic plan and the School's mission. The agreement then outlines the basic responsibilities of each partner, which are to work collaboratively and to listen and learn from one another. The terms of the agreement are pending a start date, but the agreement can be terminated at any time if either party decides that they'd like it to end. Mayor Kulpa-Eddy asked what the next step is and was informed it would be to develop the guiding principles, should the Council decide to formalize the relationship. Ms. McClure stated that one or more representatives will be available to answer questions for residents.

Resident Claudia Barragan submitted a letter of support from the Immigrant Neighbors Community of Berwyn Heights and expressed gratitude that her edits had been utilized by the SPH. She read the letter into the record. She asked why the agreement wasn't shared in the agenda packet. Ms. McClure stated that she understood this to be a working meeting with Council and that the agreement was sent only to Council and would be shared later with the broader community. Ms. Barragan expressed she'd like to see this move forward quickly in the wake of the storm event, indicating that delay would be the fault of the Mayor and Town Manager. Mayor Kulpa-Eddy explained that the agreement had to be reviewed by the Town Attorney and that the Town Attorney is currently on vacation. MPT Brittan-Powell asked for staff to see if there were other attorneys that could review the agreement while the Town Attorney is unavailable. TM Allen agreed to see what can be done to get this reviewed by an associate of the Town Attorney. Ms. McClure will have the attorneys for UMD review it as well. Ms. Barragan requested that CM Hemby coordinate with MPT Brittan-Powell on this. CM

Papanikolas sought clarification on the goal for the Town Meeting. Mayor Kulpa Eddy replied that goal for the Town Meeting will be to view a draft of the agreement and any attorney responses, with a discussion and vote on the partnership agreement. Mayor Kulpa-Eddy asked for more information on the cost of an intern. Ms. McClure shared that the cost of an intern is minimal, either a small stipend, hourly wage, or gas and parking stipend. An undergraduate intern would cost about \$16/hr where a graduate student would be between \$20-\$22/hr. Most students complete an internship as either part of their program or for independent study. Students typically choose an internship the semester prior to undertaking it, but not always. Depending on the goal of the internship, weekly hours can vary from 10-36 hours. The SPH would want a job description for the internship, which could come out of the needs assessment.

**e. Calendar**

Mayor Kulpa-Eddy reviewed the month of August, with National Night Out on August 2 and the Summer Concert on August 18<sup>th</sup>.

**f. News from the Town Manager**

**i. Town Manager's report ARPA update on projects**

TM Allen gave an update on the ARPA projects. She reported that in March, the Council gave direction to develop residential and business support programs based on College Park programs. The Council has suspended the residential support program and she is waiting for direction from the Council on how to proceed with the proposal for updating it. She reviewed that the Town is working with the County on stormwater management. We are waiting for them to send their reports to the Town, including preapproved vendors, that will help the Town inform our decisions. The Business Relief program application has been sent to Director Goodwin of Code Compliance. Director Goodwin will be running the application past several businesses for their input. MPT Brittan-Powell stated that he had been in contact with several businesses in Town but they haven't heard anything. TM Allen replied that she understood that this was going out via email. MPT Brittan-Powell proposed that it be promoted by walking it to each business in Town. TM Allen continued, discussing the proposed Police Department/Town Hall combined project. Manns Architecture is scheduled for the August 15<sup>th</sup> meeting to review with the current Council the feasibility study that was done for the previous Council. MPT Brittan-Powell stated that his memory was that the feasibility was pretty poor. Mayor Kulpa-Eddy shared that her recollection was that it was not possible to add a second story to this building, but that a new building could be built in the same space. TM Allen reiterated that the goal is to get the information before the new Council. CM Papanikolas stated he couldn't recall if the issue was tabled or just fell off the radar. Resident Jose Valcarcel stated that he wants to make sure the Town won't be charged for the presentation. Mayor Kulpa-Eddy shared that she has received several emails indicating that residents feel this project has a goal of getting rid of the Police Department. TM Allen expressed that she was seeking the direction of the Council in response to the proposal that was submitted on July 18<sup>th</sup> in regard to redesigning the ARPA Residential Relief program. MPT Brittan-Powell stated that clear guidelines are in the document and is confused as to why nothing has been done. Mayor Kulpa-Eddy and resident Claudia Barragan discussed the process, with Ms. Barragan stating that it is her belief that the highest priority would be to hire someone who can do the grant management and she would like to see action on this in the August meeting. She also requested that the

stormwater reports from the County be made public. She asked if there is a workgroup for the Police Department/Town Hall project. She expressed her opinion that the non-profit relief program should be suspended until a needs assessment has been completed. Mayor Kulpa-Eddy shared that other organizations such as PGCPs have taken great steps to address some of the priority areas for non-profit relief that were identified by the 49<sup>th</sup> Council. TM Allen stated that the Council can make any changes they see appropriate to the ARPA projects list, but requests formal action on changing the previous plans. TM Allen asked for clarity on the plans for an ARPA grants manager. Mayor Kulpa-Eddy stated that there is no funding set aside for a grants manager at this time. Ms. Barragan asked if we could do something similar to Laurel with WSSC. CM Papanikolas stated that he would like to see the ARPA projects update as part of the consent agenda at town meetings.

**g. Resident Comments**

Jose Valcarcel asked for an update on the Indian Creek Playground. Mayor Kulpa-Eddy reviewed the announcement that she made at the beginning of the meeting. Resident Mike Attick believed that the meeting broadcast had been switched to an old meeting. TC Friesen checked and confirmed this meeting is the one currently being broadcast.

**h. Four Cities agenda items**

Mayor Kulpa-Eddy shared that there will be a presentation from the County's Office of Emergency Management during the Four Cities meeting. She asked for Council suggestions on agenda items. MPT Brittan-Powell suggested lessons learned/best practices from Covid 19. CM Papanikolas suggested adding parking and traffic problems and the permitting programs from neighboring communities. CM Hemby asked that this be an item as well. MPT Brittan-Powell suggested adding affordable housing. Mayor Kulpa-Eddy reviewed that the meeting will begin at 7PM with a meal service starting at 6:30PM.

**2. Public Works**

Mayor Kulpa-Eddy reviewed that CM Menjivar had an excused absence. MPT Brittan-Powell asked to make a comment on the issue of Public Works. He expressed appreciation for all the hard work in the storm cleanup effort. He shared an impression that in the past Public Works had a higher stature in the Town; that they aren't being treated as well as they had been in the past. He expressed a desire to see more development opportunities in Public Works. CM Papanikolas asked if there is a staff commendation program. TM Allen shared that there is annual recognition at the end of the year, and sometimes at Berwyn Heights Day there is an Employee of the Year. CM Papanikolas expressed a desire to see something more regularly, not just annually. CM Hemby seconded what MPT Brittan-Powell had said and asked residents to be patient as crews are working hard. She also asked residents consider giving donations to Public Works in thanks. TM Allen and Mayor Kulpa-Eddy briefly reviewed ethical gift giving for public employees. MPT Brittan-Powell stated that residents had a desire to see Public Works job opportunities be more publicized.

**3. Administration**

MPT Brittan-Powell stated that most of the meeting has been about administration.

**4. Code Compliance**

CM Hemby wanted to express appreciation of all that Director Goodwin and her team had done in response to the storm. MPT Brittan-Powell asked about determining if trees are in the public right of way. TM Allen explained that in general, this is 10 feet from the centerline of

the road, but Berwyn Heights was not built with consistent road widths, so that is a guide, not a hard rule.

## **5. Parks, Recreation, Education, and Civic Affairs**

### **a. Council Rules 1 and 2**

CM Papanikolas has done some more research on this and has read the minutes for the meetings that resulted in Ordinance 121. The rules were originally written in 1966 when the Council was a Commission, then updated in the 70s to reflect the change to a Council. Council was using the Commission Rules in addition to the charter and amendments. He would like to do a comprehensive review of the rules and establish a workgroup to help with that, but in the meantime would like to see the revised Council Rules 1&2 passed to keep the Council functioning. MPT Brittan-Powell asked about Council Rules vs Robert's Rules and asked if developing Council Rules was just adding a level of complexity that was not necessary. CM Papanikolas stated that the Council doesn't use Robert's Rules during worksessions. MPT Brittan-Powell stated that the feedback he has heard is that the Council Rules shut down engagement. CM Papanikolas shared that Council Rule 1 is general, except when referencing the Council. He reiterated that he is asking for Council Rules 1 and 2 as a way forward. Finally, there were discussions on edits, including removing pieces of Council Rule 2, section 4 and addressing some grammatical and typographical errors.

## **6. Public Safety**

Mayor Kulpa-Eddy responded to a question raised during the July 18<sup>th</sup> worksession on determining when any water you have stored is still usable. She shared that the type of container makes a difference in determining if water remains potable, mostly from a flavor perspective. When water has an expiration date, the water hasn't suddenly turned bad, but is past a period in which it has been tested for quality. She advocated using the water for other purposes such as watering plants. She reviewed her activities of the last several weeks, including attending the Resilient Communities Webinar and a session with Senator Cardin and other County elected officials.

## **7. Adjournment**

CM Papanikolas moved to adjourn the meeting. CM Hemby seconded. After no discussion, the motion passed unanimously and the meeting adjourned at 10:57.