



# Town of Berwyn Heights

5700 Berwyn Road  
Berwyn Heights, MD 20740  
Tel. (301) 474-5000  
Fax (301) 474-5002

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

## **Town Meeting Minutes Town Council Chamber January 11, 2023| 7:00 p.m.**

This meeting was held in the Council Chamber. Residents could comment by attending the meeting, calling 301-474-9570, or e-mailing Yvonne Odoi at [yodoi@berwynheightsmd.gov](mailto:yodoi@berwynheightsmd.gov).

### **Call to Order – 7:04 p.m.**

Mayor Jodie Kulpa-Eddy called the meeting to order at 7:04 p.m. Present were Mayor Kulpa-Eddy, Mayor Pro Tem Christopher Brittan-Powell, Councilmember Shinita Hemby and Councilmember Faustino Menjivar, as well as Assistant to the Town Manager Yvonne Odoi. Also present were Peter Jones, candidate for Interim Town Manager and Town residents. CM Papanikolas had an excused absence.

The Pledge of Allegiance was recited by all.

### **1. Announcements**

Mayor Kulpa-Eddy reported on the executive worksession that was held on Thursday, January 5, 2023, and exempt under §3-305(b)(1) of the Annotated Code of Maryland. The public meeting was closed at 7:05 p.m., by motion from MPT Brittan-Powell and seconded by CM Papanikolas. Council discussed the review of applications for the ARPA grants manager position. Concensus was to move forward with scheduling interviews with two of the candidates. MPT Brittan-Powell urged all to continue practicing Covid protocols, as recent holiday travels have contributed to a surge in infections.

### **2. Approval of Agenda**

CM Hemby motioned to approve the agenda, which was seconded by CM Menjivar. MPT Brittan-Powell discussed his continued protest with the process of agenda creation by the mayor. He stated his dissatisfaction of his continued requests to add items to the agenda being denied by the mayor. He continued that many items that he wants addressed are not placed on the agenda and are therefore not discussed. His protest is on the assumption of powers he believes the mayor has taken on but are not given under the “Mayor” title. Mayor Kulpa-Eddy stated that during the most recent worksession this discussion came up, so she contacted the Town Attorney for clarification. Mayor Kulpa-Eddy read from an e-mail received January 9, 2023 from the Town Attorney regarding the Mayor’s role in agenda setting. The Mayor next clarified that she has not excluded requests for items in previous agendas, but she has delayed agenda requests from being added to Town Meetings as she believes worksessions are a better opportunity for discussion on these items. MPT Brittan-Powell responded by restating his position regarding the “weak mayor” system. Mayor Kulpa-Eddy clarified that the Town has a hybrid governmental system: Weak Mayor – Commissioner- and Manager/Council forms of government that follows the Charter, then the Ordinances, and lastly the Council Rules. The Mayor and MPT Brittan-Powell continued the discussion on their different perspectives regarding the Town’s system of government. They ended by addressing the motion on the table: Approval of the agenda (motioned by CM Hemby and seconded by CM Menjivar). Motion passed 3-1 with MPT Brittan-Powell opposed.

### **3. Public Hearing Ordinance 110: Ethics**

The Berwyn Heights Ethics Commission reviewed and made recommendations to adopt a draft version of the Ordinance. The Commission added a lobbying section, though the State does not require it. The Commission also asked that the State Ethics Board address several of their edits. MPT Brittan-Powel requested that the language of the current Ordinance be expanded. Mayor Kulpa-Eddy explained that this hearing is for the adoption of the current edited version of the Ordinance - any other action would have to repeat the adoption process. This agenda item closed with no additional comments.

### **4. Public Hearing Ordinance 185C: Berwyn Heights Emergency Assistance Fund Program and Budget Amendment**

Mayor Kulpa-Eddy read the program requirements and background. If passed tonight, the program would become effective January 31, 2023. MPT Brittan-Powell stated his concerns with the program's expectation of personal responsibility. With no further discussion, this hearing was closed with no additional comments.

### **5. Consent Agenda**

Motion to accept the Consent Agenda proffered by CM Hemby and seconded by CM Menjivar. Motion passed 4-0.

### **6. Mayor & Councilmember Reports**

Mayor Kulpa-Eddy reported the Town is focused on hiring an ARPA Grants Manager. Council reviewed applications received to-date and are working to get an applicant on board. There is a resolution for hiring an Interim Town Manager on the agenda for this evening's meeting. The Berwyn Heights Police Department (BHPD) has hired a new recruit: Officer: Rebeca Portillo. She has interned with BHPD and lives in town. Recruit Portillo will attend the Prince George's County's Police Academy in April, with an expected completion date of October 2023.

MPT Brittan-Powell shared that his presumed funding for the flood gates will not be able to pay for the purchase of the equipment. He offered that other funding options be found for establishing this program for residents.

CM Hemby updated that CM Papanikolas, the Town Treasurer and herself have reviewed applications for the Business and Non-Profit Organization ARPA Grant programs. Businesses should have a status update soon. She and CM Menjivar are working with the principals of Roosevelt and Parkdale High Schools, to have their students assist Berwyn Height's Seniors with their chores and things around the house. Berwyn Heights' Code Compliance Department will be involved in this program and ensure that the students will receive service hours. For more information on this program, call CM Hemby on her new number, (301) 910-7134, or CM Menjivar. Mayor Kulpa-Eddy asked for the program brochure. CM Hemby stated that her team will begin creating a brochure for the program. CM Hemby will have an update on the program at the next worksession.

CM Menjivar shared that loose leaf pick-up concluded this week, so residents must return to bagging leaves for collection by Public Works. The Department is urgently requesting that a purchase order be executed by the end of this week to keep the current price for the new trash truck. Mayor Kulpa-Eddy stated this may be possible as this emergency process has been used in the past, to purchase a police vehicle for the same reason.

### **7. Committee Reports**

- a. Education Advisory Committee – No report.

- b. Green Team – No report.
- c. Historical Committee – Committee Chair Debbie Steele-Snyder discussed the committee wrapping up the Oral History project sometime this year. They are evaluating the process of how to effectively conclude the project and provide long-term storage for the tapes. The committee made a request for change-in-membership rules to address a longtime member that, for health reasons, can no longer attend meetings. Mayor Kulpa-Eddy deferred that the change-in-membership request be made when CM Papanikolas is present, as he is the PRECA Liaison. MPT Brittan-Powell provided other membership options for the Committee. Chair Steele-Snyder explained that the Committee reviewed their resolution and there are no other options. They are reviewing other considerations such as creating an Emeritus status. Their next meeting is January 25<sup>th</sup> at 7:30 p.m. in the GL Conference room. The Wine and Cheese event is scheduled for April 16<sup>th</sup> from 2 p.m. -4 p.m. Dr. Rich Bell, author of *Stolen*, is the speaker for the event.
- d. Neighborhood Watch/ Emergency Preparedness – Mayor Kulpa-Eddy presented that a Community Shred event is scheduled from 9 a.m. -12 noon on January 28, 2023. No limits on quantity, but paper ONLY. (Rain or Shine.)
- e. Recreation Council – Mayor Kulpa-Eddy mentioned that the Seniors Club and the Recreation Council are teaming up for an International Potluck Dinner on February 11, 2023.

## 8. Old Business

- a. **Adoption of Ordinance 110: Ethics** - MPT Brittan-Powell motioned to adopt, CM Menjivar seconded. With no discussion, the motion passed 4-0.
- b. **Ordinance 185C: Berwyn Heights Emergency Assistance Fund Program and Budget Amendment** - Mayor Kulpa-Eddy stated that even though she understands Council concern of potential fraud, waste and abuse, the need to address a crisis is worth moving this program forward as a pilot for residents. She continued that there is an affirmation statement included in the application that allows the Town to prosecute a recipient if need be, with the Council still having the option of ceasing the program completely. MPT Brittan-Powell repeated his concerns regarding waste, fraud and abuse, and asked for a reduction in the funding amount of the program. Mayor Kulpa-Eddy justified her stance on keeping the funding balance of this program at \$50,000; it is better to have the funding available and not need it than the reverse. CM Hemby motioned to adopt the ordinance, seconded by CM Menjivar. Passed 3-1 (MPT Brittan-Powell voted against passage).

## 9. New Business

- a. Interim Town Manager Resolution – Mayor Kulpa-Eddy read Resolution 01-2023 to appoint Mr. Peter Jones as the Berwyn Heights’ Interim Town Manager. CM Hemby motioned to adopt the resolution. Second by MPT Brittan-Powell. The Council expressed the appreciation and quick action needed to get the Interim position filled. Mayor Kulpa-Eddy asked Interim Town Manager Peter Jones give a brief introduction of himself, as a formal introduction will be done at a later date. He stated he is looking forward to meeting residents and working for the Town.
- b. Four Cities Meeting Agenda Items – a request has been made for agenda items for this upcoming January 26, 2023, meeting. Berwyn Heights is recommending discussion concerning the housing programs established in Greenbelt and College Park, and stormwater management as agenda items.
- c. Berwyn Heights Flood Gate Program – Mayor Kulpa-Eddy reported that she is waiting on the Town Attorney to complete the review of the application. She continued that the funding source for this program is still being researched. MPT Brittan-Powell stated that the retrofit

program was to be included with the floodgates so there are no additional funds needed. Mayor Kulpa-Eddy clarified that the retrofit program is income-dependent, and the floodgate program was intended to be available to all residents. This will be discussed further at the next worksession.

**10. Resident & Community Comments**

None.

**11. Adjournment – 8:30pm**

**CM Hemby motioned to adjourn. CM Menjivar second. Motion passed 4-0.**