



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

Work Session Minutes June 5, 2023 | 7:00 p.m. Council Chamber

Call to Order Mayor Jodie Kulpa-Eddy called the meeting to order at 7:01PM. Present were Councilmembers Shinita Hemby, Jason Papanikolas and Faustino Menjivar. Staff present were Interim Town Manager Peter Jones and Assistant to the Town Manager Yvonne Odoi. Also present were residents of the Town of Berwyn Heights.

Approval of the Agenda – CM Hemby’s motioned to approve the agenda was seconded by CM Papanikolas; passed 4/0. Mayor Pro Tem Chris Brittan-Powell joined the meeting at 7:04pm.

1. Mayor

- a. **Announcements:** There is a change in Town Clerk duties this evening. ATTM Yvonne Odoi is sitting in for Clerk Friesen. Comments may be emailed to her attention at yodoi@berwynheightsmd.gov.
- b. **Calendar:** Mayor Kulpa-Eddy brought attention to the changes in the June 2023 calendar and requested Council make a date available for a closed session to discuss the Town Manager search. She also asked for recommendations for the traditional Town Staff and Council dinner during the MML Summer Conference. MPT Brittan-Powell asked about the Park and Planning meeting on “Placemaking”. Mayor Kulpa-Eddy stated the presentation is currently being scheduled by the Town Clerk for a July worksession.
- c. **Green Team Discussion: Sustainable Maryland Recertification** – Mayor Kulpa-Eddy explained that this achievement has been awarded to the Town in the past and is up for recertification. She introduced the Green Team to provide background on this process while clarifying the difference between this award and the Maryland Sustainable Communities certification, which has been completed and is under review. Mr. Paul Kavanaugh spoke about the current recertification proposal and how the award opens doors for the Town to be awarded funding resources to continue in its “Green” efforts. There are 1640 total points available; we need to show activities worth 150 points to recertify as *Bronze* and 400 points to make *Silver* status. Mr. Kavanaugh continued that the Town has already accomplished many of the requirements such as receiving the Bee City and the Tree City designations. He explained that the recertification proposal is due June 30th to the University of Maryland Environmental Finance department but that they are flexible and provide a fluid process for the recertification. Mr. Kavanaugh

praised the Council for their continued efforts to be a “Green” Town, especially with a “Green” Berwyn Heights Day 2023 that involved event-wide composting by the Public Works Department. Mayor Kulpa-Eddy asked what the other requirements are needed to receive the award. Mr. Kavanaugh explained that the Town has resolutions in place that still count towards recertification requirements so there isn’t anything for the Council to implement. Ms. Geneviève de Messières, secretary of the Green Team, stated that this discussion on recertification appears to be an advocacy of support from the Green Team, which it is not. Mayor Kulpa-Eddy asked if the Green Team is in favor of recertification. CM Papanikolas stated that the Green Team is debating the recertification proposal, but Clerk Friesen volunteered to head the recertification process. The Green Team has been in communication with the clerk to add documentation that needs to be provided. Mayor Kulpa-Eddy explained that the decision to recertify falls on Council, but if the Green Team is not able to support the recertification action, then that has to be considered. Ms. de Messières does not foresee any objections; this will be confirmed after their meeting next week after the vote of the Green Team.

- d. **Presentation BHVFD** – Mr. Ryan Wagner, President of the Berwyn Heights Volunteer Fire Department presented the funding request for the BHVFD with a detailed background as to how the resources will be distributed. Mayor Kulpa-Eddy explained that the standard contribution is already in the FY24 General Fund budget but the Council had more questions on the additional funds request for the Utility Truck. Mr. Wagner explained this 4X4 truck is intended to respond to weather and Lake Artemesia area trail emergencies due to its maneuverability. It is estimated to cost \$100-130,000 total, and they would be grateful for any amount the Town could contribute. MPT Brittan-Powell asked if the BHVFD is renovating the firehouse. Mr. Wagner explained that they are restricted by a 66” water main in the backyard that has to be accessible whenever needed.
- e. **Update: Stormwater Consultant/Engineer Draft Position Description** – Mayor Kulpa-Eddy asked about the status of this position and if it has been posted. ITM Jones reviewed the reasons why this person is needed, as there had been an assertion made this would prohibit the Army Corps of Engineers from working on any projects with us free-of-charge. The Army must use their own engineers for their own projects, however, the Town must still cover 25% of the cost. ITM Jones reached out to neighboring municipalities to inquire about their experience working with the Army Corps of Engineers; none reported that they had. He continued that in speaking with Mr. Charlie Griffith at the County, the suggestion is for the Town to have its own Stormwater Engineer. The Town’s consultant will work with PG County who will then coordinate with the Army Corps of Engineers. Mayor Kulpa-Eddy explained that the job description for the position is broad enough to handle all other water issues in town as well. The Town’s current listing with the County for flooding areas is alongside Indian Creek, rather than flash flooding and massive rainfall management issues that are happening elsewhere within the Town. MPT Brittan-Powell asked for clarification on the Army Corps of Engineer’s ability to work with the Town if the project is privately bid. CM Papanikolas explained that according to the Corps’ formal procedures, that would not prohibit the Town from working with the Corps on this project. MPT Brittan-Powell has a contact in Rockville he will reach out to for confirmation. The council discussed and clarified details of the job description, including keeping the reference to a *Stormwater Taskforce* and allowing the consultant to determine if that is a needed program. CM Hemby asked for the quantification of the term “Subject Matter

Experience”. ITM Jones explained this will include the required professional degree and years of experience. CM Papanikolas stated that he’ll reach out to his engineer contact to be part of the reviewing process when the time comes. Council discussed and decided to advertise this as a Request for Quotes with the project ending 12/31/2026. Council directed ITM Jones to advertise the RFQ as soon as possible and agreed there will be no conflict with any potential Army Corps of Engineers work by adding this contractual position.

- f. **Update: PRECA Aide/ Community Engagement Draft Position Description** – Mayor Kulpa-Eddy read the current description for the position. The council discussed the details of the position and completed it for posting.

* MPT BRITTAN-POWELL left the meeting feeling ill at 8:15pm.

- g. **Update: Grant Writer Draft Position Description** – Mayor Kulpa-Eddy read the current description for the position. The council discussed the details of the position and completed it for posting.
- h. **Update: Town Manager Search** – Mayor Kulpa-Eddy shared the latest schedule for this process. She explained that after acquiring a hiring firm, two main issues arose that have pushed the onboarding of a new Town Manager to the beginning of September at the earliest. With ITM Jones contract ending on June 30th, she is asking the Council whether the hiring process should continue with the updated target dates, or whether the timeline should be shortened, perhaps by dispensing with the residents interview panel? She added that the Council could ask the current Interim Town Manager to extend his current contract. CM Papanikolas stated that he prefers the process not be shortened; that residents bring a different perspective to the selection process. CM Hemby also expressed her preference of not omitting the screenings and extending the current contract if possible. ITM Jones stated he would be willing to stay on as long as he is needed, unless he’s hired elsewhere. Council seemed to agree with a contract extension; a formal vote will be taken at the June Town Meeting. Mayor Kulpa-Eddy continued that she will reach out to the hiring firm to continue the process with updated target dates. The search consultant has received nine applications and will be doing the reference and background checks on all of these. She further asked the council to prepare for a closed session at the end of June to review all of the candidates’ information and choose a few for in-person interviews.
- i. **IT Vendor Review** – Mayor Kulpa-Eddy explained that the current contract is ending on June 30th. Staff had recommended a vendor based on quotes obtained in 2021, which are now outdated. The original contract can be renewed for 2 years with Peake, the current vendor, or we could move forward with another vendor. Peake has offered a 90-day extension while the Council makes this decision. CM Papanikolas questioned the hesitation to keep the current vendor. ATTM Odoi explained that she believes the Town is no longer receiving the level of service needed from Peake. Mayor Kulpa-Eddy asked that the 90-day contract extension be voted on at the next town meeting while an updated RFQ process is completed.
- j. **Resident Comment** – Mr. Paul Kavanaugh reiterated his position on the importance of the recertification of the Sustainable Maryland award. He also discussed the training program available through “Central de Apoyo Familiar” for Environmental Justice Community Health workers. The program comes with \$1000 compensation, a laptop

and in-the-field training to the candidates. Mayor Kulpa-Eddy asked if this group has to partner with a municipality or are they a standalone group. Mr. Kavanaugh explained that the funding is through the group to benefit the community.

CM Hemby received an email and a phone call about loud residential parties in which the police department's response time is quite long. She further stated that she received complaints about the loud mufflers in Town. CM Hemby is asking that BHPD be made aware of the situation.

2. Code Compliance – CM Hemby stated there has been a rise in homeowners' building without a permit from either the County or the Town. She encouraged residents to call Code for further directions to prevent Stop-work orders or damage to the home.
3. Parks, Recreation, Education, and Civic Affairs – CM Papanikolas got a chance to ride along with the BHPD. He stated that it is not feasible for BHPD to run a radar gun at night to try to catch speeders. He will be back on another ride-along when it is not raining for a demonstration of the use of the radar. He further reported that the Green Team has made a request to add three official members. There is a need to revive the Shade Tree board; they manage the urban forestry ordinance of the town.
4. Public Safety- Mayor Kulpa-Eddy reminded residents that the last day of school is June 13 and there is an early dismissal on the 12th. She asks residents to be careful, as kids will be running throughout the Town. She further reported that the NW/EP will host a “hands only” CPR training on Tuesday June 20th from 6-8pm.
5. Public Works – CM Menjivar asked for clarification as to when the approved Dingo can be purchased. Mayor Kulpa-Eddy explained that this purchase has to be wait until after the ARPA Budget is adopted..
 - a. Roof Port Work Conflict – CM Menjivar received clarification that this is an FY24 General Funds budget project and as such must wait until the fiscal year begins to start the project. CM Papanikolas explained that since Council opted to approve the ARPA spending through the Town budget process, the Dingo can be purchased after August 1. CM Menjivar asked for space to move the DPW trucks for 3-4 weeks during the roof repair. There is a quote to rent the vacant lot next to the Public Works yard as an option. Mayor Kulpa-Eddy suggested reaching out to other municipalities with which we have current MOU's to ask for free space. The Council discussed other options such as the BH Community Center, Staples, and the BH Police department parking lots.
 - b. Food Compost Containers - CM Menjivar received clarification that this is also a GF FY24 budget funded project and as such must wait until the fiscal year to start. It was discussed that 5-gallon containers would be purchased for indoor use and the 12-gallon containers for curbside pickup. Public Works will purchase one pallet of each and advertise for residents to request the containers. Mayor Kulpa-Eddy suggested the purchase be made after the roof work is complete, so there are no storage issues of the pallets.
6. Administration – MPT Brittan-Powell left the meeting early. There is no report.
 - a. Project List Suggestions – no report
7. Adjournment – CM Papanikolas moved to adjourn the meeting and was seconded by CM Hemby. Motion passed 4/0.
Meeting adjourned at 9:12pm.

