



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

Town Meeting Minutes Town Council Chamber April 12, 2023 | 7:00 p.m.

Call to Order

Mayor Kulpa-Eddy called the meeting to order at 7:00 PM. Present were Mayor Pro Tem Chris Brittan-Powell, Councilmember Shinita Hemby and Councilmember Jason Papanikolas. Councilmember Faustino Menjivar had an excused absence. Staff present were ITM Peter Jones and Town Clerk Melanie Friesen. Residents of the Town of Berwyn Heights were also present.

Pledge of Allegiance

1. Announcements

Mayor Kulpa-Eddy shared that longtime term resident Mia Rojas has passed away at the age of 98. Service details will be shared when they are known. She also reported out on the April 6, 2023 Executive session that was held under General Provision Article §3-305(b)(3) to consider the acquisition of real property for a public purpose. Specifically, the acquisition of a space for public gathering as well as to provide a permanent location for the Berwyn Heights Police Department. All Councilmembers were present and voted to close the meeting. Also present was ITM Jones. All Councilmembers voted to send a letter of intent on a property. CM Hemby thanked residents who came to speak on tonight's agenda.

2. Approval of Agenda

CM Papanikolas stated that he would like to make a motion to amend the agenda, to hold the public hearings that were scheduled, but to recess after that in order to provide the Council more time to understand the budget that was scheduled for introduction. The most recent version of the budget was sent to Council less than a full day before the meeting. CM Hemby seconded. In discussion, Mayor Kulpa-Eddy advocated to respond to several other areas of the agenda that are time sensitive and to recess only on budget related issues. Council discussed adding an additional worksession on the 20th at 6PM and to reconvene the Town Meeting on April 26th. MPT Brittan-Powell asked about the proposed subject on traditional funding for a police department. CM Papanikolas commented that until there have been full discussions on how ARPA is to be allocated, he believes holding off on measures regarding funding of the police department makes sense. Council voted unanimously to approve the agenda as amended by Mayor Kulpa-Eddy.

3. Public Hearing: Constant Yield Tax Rate

Mayor Kulpa-Eddy introduced the Constant Yield Tax Rate (CYTR) Hearing and reviewed that Council is considering exceeding the CYTR by maintaining the current tax rate of \$.545 per \$100 of assessed real property value which, due to the rise of assessments, will generate \$112, 309 in

additional property tax revenues. She opened the public hearing at 7:18PM.

Resident Paul Kavanaugh of Berwyn Rd stated that inflation has affected everyone, including the Town and he believes the Town Council really has no choice but to do what it needs to do to increase revenues. He has benefited from taxes on a personal level. He stated that Town employees are facing inflation and that the Town is facing inflated pricing on goods and services as well.

Shira Francis of Berwyn Rd stated that she has been seeing people leave Berwyn Heights due to the high cost of living in the community and does not believe the Town should raise taxes making the burden greater. She commented that real people have had to leave due to increased rents.

With no further comments, Mayor Kulpa-Eddy closed the hearing at 7:22PM.

Public Hearing: General Fund FY24

Mayor Kulpa-Eddy explained that the Town has two budgets, the General Fund and the Public Safety Taxing District. The General Fund provides for the public services the Town delivers and maintains adequate reserves and “rainy day” funds. She reviewed that the current budget has a deficit of about \$230,000 and that the budget is required to be balanced and the Town is open to input on the ways to balance the budget.

Resident Paul Kavanaugh stated that he is not a budget expert but expressed concerns that he does not see Stormwater Management as a line item in the budget. He added that residents need a clearer understanding of what the Council has done on Stormwater Management. He believed that there was to be a Town Hall meeting on the subject and wanted to know what happened after the presentation from the County at a previous meeting. He added that he was glad to see the Sustainable Communities certification being renewed, but does not see that as a line item in the budget. Given that nothing is free, it should be accounted for. He appreciated CM Papanikolas’ comment at the last meeting regarding using this application as an implementation plan. He commented on grants the Town could pursue, including collaboration with larger municipalities. He added that he did not see any tree canopy work in the budget and believes there should be an arborist on contract. He added he would like to see the Council speak at the Four Cities meetings to determine what kind of codes other municipalities have put forward to manage stormwater and rejuvenate their tree canopy.

Resident Michael Bloom of 63rd Ave added that he would like to support what Mr. Kavanaugh had said, adding that the ARPA funds provide a once in a lifetime opportunity to shore up the Town’s stormwater infrastructure. He made several suggestions including rainwater collection options, planting native species and the use of impervious pavement. He expressed his belief that this would cost about \$1.3 million and the rest of the ARPA funds should be spent on enhancing the community, including a park for adults, by purchasing a vacant lot. He expressed frustration at the lack of action from the Council and an absence of effective leadership and an inability to prioritize Town needs.

Resident Pat Agee called in to say it was difficult to hear people speaking. The hearing was suspended for a short time while attempts were made to fix the problem.

The hearing then continued as resident Zach Francis stated that he owns a home at the bottom of Berwyn Rd and is concerned about stormwater, echoing previous statements. He added that his property lost three trees in the summer storms in 2022, and he has concerns about what their loss will mean in terms of stormwater management.

With no further community comment, Mayor Kulpa-Eddy closed the hearing at 7:46PM.

Public Hearing: PSTD FY24

Mayor Kulpa-Eddy stated that the Public Safety Taxing District is established around the Town’s

commercial district for the purpose of financing one police officer. She stated that the proposed rate will increase Real Property taxes by \$.01, to \$0.13 per \$100 of assessed real property value while maintaining the Personal Property tax rate at \$.15 per \$100 of assessed value. Mayor Kulpa-Eddy added that there will be a meeting with the CDMA later in the month as well. She opened the public hearing at 7:47PM.

Resident Paul Kavanaugh expressed support for taxes that bolster public safety but heard from a neighbor that the Police Department is not patrolling the Town between 11PM and 4AM. He expressed concerns if that was accurate.

Resident Michael Bloom asked for a response regarding the comment about lack of patrols.

Mayor Kulpa-Eddy stated that Council does not typically respond during public hearings but will inquire with the Chief of Police on the matter. With no further community comment, Mayor Kulpa-Eddy closed the hearing at 7:51PM.

4. Consent

CM Papanikolas moved to approve the consent agenda. He also highlighted to residents that the Council Project Tracker is part of the consent agenda and encouraged them to keep an eye on it. CM Hemby seconded the motion. With no further discussion, the motion passed unanimously.

5. Mayor & Councilmember Reports

Mayor Kulpa-Eddy shared that there have been 5 budget listening sessions and reviewed priorities that she heard during those sessions. She highlighted that there will be overnight (9pm-5am, Sunday-Thursday) milling and paving on the I-495 Inner Loop at College Park that may affect traffic with three lane closures and to be prepared for heavier than normal traffic during those hours.

MPT Brittan-Powell stated that he has heard other residents expressing similar concerns as stated during the budget hearings, including on housing security. He is exploring programs that already exist and has met with the Town Manager in Greenbelt to explore possible collaboration on these services as well as aging in place programs for seniors.

CM Hemby thanked the residents who participated in the public hearings and for those who have reached out to her personally. She stated that some Councilmembers share the concern about stormwater management and good community spaces.

CM Papanikolas also thanked residents for speaking. He stated that he has also had frustration on the lack of progress and is happy to hear residents stating their priorities. He acknowledged that talk is cheap, and action is needed. He again invited residents to keep Council accountable via the project tracker.

6. Committee Reports

- a. Education Advisory Committee- CM Papanikolas shared that the EAC is still not meeting.
- b. Green Team- Paul Kavanaugh stated that the reports CM Papanikolas provides on the Green Team are 95% accurate. He added thanks to the Town Clerk on making the minutes understandable, and that he would like to see an executive summary of action items immediately following each meeting. CM Papanikolas added that the April Green Team meeting will be virtual and focusing on how to support the Town in Sustainable Maryland (Sustainable Communities) application items as well as brainstorming on stormwater solutions that are not tied up in County issues.
- c. Historical Committee: Chair Debby Steele-Snyder highlighted the “Meet the Author” event with Dr. Richard Bell on Sunday, April 16 from 2-4PM. She added they are planning to

- participate in Berwyn Heights Day. They are also working on a project to organize their files.
- d. Neighborhood Watch/ Emergency Preparedness: Mayor Kulpa-Eddy shared the NW/EP Committee will also be participating in Berwyn Heights Day, and they are working to get a CPR/AED class for residents in June or July.
 - e. Recreation Council: Mayor Kulpa-Eddy shared an email from Rec Council Chair Susan Jones that outlined the tentative schedule for the upcoming porch concerts on April 30th. She also stated that the rides and pancake breakfast on Berwyn Heights Day (May 6) will be free again this year. There will also be a parade at noon, and afterwards several food and craft vendors will be selling a variety of goods.

7. Old Business

- a. DHCD Sustainable Communities Application Approval:
Mayor Kulpa-Eddy shared that she was glad to see the changes suggested in the last worksession have been incorporated. She reviewed the program, highlighting the advantages and grant opportunities that the designation will give the Town. MPT Brittan-Powell thanked all those who worked on the document. CM Papanikolas added that the application is pretty much laid out like a strategic plan and would like to see this adopted as the interim strategic plan with an implementation plan to be developed once the new Town Manager has been hired.
MPT Brittan-Powell moved to approve the Sustainable Communities Application. CM Papanikolas seconded. With no further discussion the motion passed 3:0:1 with Mayor Kulpa-Eddy, MPT Brittan-Powell, and CM Papanikolas in favor and CM Hemby abstaining.

8. New Business

- a. Budget Ordinance Introduction- recessed
- b. PSTD Budget Ordinance Introduction- recessed
- c. ITM Jones PowerPoint Presentation on Floodgate Program
ITM Jones reviewed the application process for the floodgate program. Mayor Kulpa-Eddy emphasized that the program is only for property owners and for renters to ask their landlords to apply if they are in need of gates. CM Papanikolas stated that he was glad to see the program launched after 8 months. He asked about the status of the stormwater mitigation grant. MPT Brittan-Powell highlighted that the stormwater mitigation grant will be retroactive to the storm event of August 2022. Mayor Kulpa-Eddy stated that the application for the mitigation grant still needs to be reviewed by the Town Attorney.
- d. Four Cities Agenda Items
Mayor Kulpa-Eddy shared that Greenbelt will be hosting the Four Cities meeting on April 27th and asked for agenda items. CM Hemby expressed concern about crime in the area around Berwyn Heights and would like to have Greenbelt share their plans for the apartments behind Beltway Plaza. MPT Brittan-Powell would like an update on the plastic bag ban legislation in Greenbelt and College Park. Stormwater management continued to be an area of joint concern.

9. Resident & Community Comments

Resident Claudia Barragan stated that she is speaking to represent INCbh on budget issues, expressing that she is against any increase on property taxes. She also will be starting a campaign because none of the budget information has been provided in Spanish and the Town will only respond to litigation. Ms. Barragan commented that there should be at least 10% of the population of Berwyn Heights attending Council meetings and providing comment. She expressed that she

was saddened that the Latino Councilmember was not present at this Town Meeting. She expressed gratitude to CM Hemby for not voting to approve the Sustainable Communities application. She commented that there was no representation from immigrants and that the application was done almost entirely by the Green Team with no representation from Brown or Black residents. She added that CM Papanikolas is correct in his comment that this is not just an environmental application, but one with equity and justice issues as well and that minority representation should have been included. Ms. Barragan commented on the Floodgate application, stating that it should not be in front of residents if it has not passed through legal review. She also commented negatively on the quality of the Spanish translation of the application. She expressed that property taxes should not be increased as the Town is not using what they are receiving well. She reiterated that Council is not receiving adequate participation from residents and that they will be held accountable come elections.

Shira Francis commented that she agreed with previous comments that the Town should not use ARPA funds for a police department, but rather stormwater management and for resident engagement.

Debby Steele-Snyder asked about what action will need to be taken to remove a member of the BHHC who is no longer able to participate due to health reasons. CM Papanikolas stated he will review the resolution that established the BHHC to see what needs to be done, and if there needs to be official action to have that done at a Town Meeting soon.

10. Adjournment

MPT Brittan-Powell moved to adjourn the meeting. CM Hemby seconded. With no discussion the motion passed unanimously, and the meeting adjourned at 8:39pm.