



Town of Berwyn Heights

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MAYOR
Stephen D. Isler

COUNCIL MEMBERS
Jason W. Papanikolas (Mayor Pro Tem)
Amanda M. Dewey
Jeffrey Jay Osmond
Ethan D. Sweep

Worksession Minutes December 2, 2019 | 7:00 pm

Present were Mayor Stephen Isler, Mayor Pro Tempore (MPT) Jason Papanikolas, Councilmembers (CMs) Amanda Dewey, Ethan Sweep and Jeffrey Jay Osmond. Also present were Town Manager (TM) Maria Broadbent, Clerk Kerstin Harper, Code Compliance Director Hollyce Goodwin, Treasurer Michelle Rodriguez, Bob Diss with Lindsey & Associates Auditors, and citizens.

1. Announcements

The holiday decorating contest will be ongoing for the month of December. Residents are requested to nominate their favorite holiday homes by emailing Mayor Isler. The Town's Christmas Tree Lighting will be this Saturday, December 7. The Volunteer Fire Department donated the tree to be set up in front of the Town office.

2. Discussion Items

Auditor's report: Mayor Isler welcomed Bob Diss with Lindsey & Associates for a presentation on the FY 2019 audit. The Auditor's Report is available as part of tonight's agenda packet on the Town website. Mr. Diss gave a summary of the report. The Auditor's opinion letter on page 1 gives the Town a clean opinion. The Management Discussion & Analysis written by the Town Manager gives highlights of last year's budget, one of which is capital outlays of \$800,000 for a major road project.

The Auditor's financial statements comprise two sets of statements. The first is on a full accrual basis that takes everything into account, including fixed assets, depreciation and long-term debts. It shows total assets of \$6,708,165 and total liabilities of \$1,305,946, with a net position of \$5,475,924. The only long-term liabilities are compensated absences and net pension liabilities. The second set of financial statements is on a modified accrual basis and takes into account only current assets and liabilities. The income statement shows revenues of \$3,109,114 and expenditures of \$3,300,597 resulting in a decrease of the fund balance of approximately \$200,000.

Further, there are fiduciary statements followed by a series of Auditor's notes. Note 3 describes the status of the Town's cash and investments and investment policies, which will be relevant when the Town revises its investment policy. Currently, the only investment is in a pension trust fund in the amount of \$458,194. Statements comparing FY 2019 budgeted and actual funds begin on page 44.

In response to questions, Mr. Diss described the auditing process noting that it went smoothly. Financial controls instituted by TM Broadbent and described in the Management Analysis are regarded as a plus. An evaluation of the Town's internal accounting controls recommends that the accrual of the year-end payroll be recorded as a year-end liability.

TM Broadbent said she has asked Mr. Diss to come to a future worksession to brief the Council on investment policies, including sweep accounts offered by the Town's bank. Prior to investing money in sweep accounts, however, the Council should adopt financial policies that allow for it.

Variance request, 6201 Ruatan Street: Mayor Isler welcomed Hui Xiong, the owner of the rental property at 6201 Ruatan Street. Code Compliance Director Goodwin explained that Mr. Xiong has applied for a 4' variance in side-yard setback to validate a stoop and stair built by a previous owner without a permit. A County code officer had noticed the violation and advised that a permit is needed. The permit was denied and referred to the Board of Zoning Appeals to request the needed variance. Director Goodwin recommends approval of the variance as the owner has sought to comply with the permit and variance requirements and the neighbors have not voiced objections.

After several clarifications from Director Goodwin, Mayor Isler said the Council will vote on supporting the variance at the December Town meeting.

Budget process: TM Broadbent said the Council has been provided several documents in preparation for the upcoming budget season. This includes a draft budget schedule, with a date for the Council's all-day budget workshop, tentatively set for Saturday March 28, profit & loss statements showing actual revenues and expenditures for the period of July – November 2019, as well as reserve calculations. The documents are intended to get the Council to start thinking about budget goals and the budget process. Any feedback is welcome.

TM Broadbent said a couple of things the Council may want to consider is alternative hiring practices for Public Works personnel, as hiring and retention have been challenges in the current economic climate, as well as how much money to appropriate for the Homeowners Tax Credit program for the few people that applied. The Council may also want to think about changing the way the budget is adopted. Currently, the adoption of the budget and the swearing-in of the new Council occur on the same date. CM Dewey said this allows for the possibility of the outgoing Council adopting a budget that leaves difficult decisions to the next Council.

Treasurer Rodriguez reviewed the profit & loss statements. At the 5-month mark of the current fiscal year, the Town should have consumed 42% of the budget. The Town has received 49.5%, or 7.5% more than 42% in projected annual revenues, and it has spent 32.6%, or 10% less than budgeted expenditures. For ease of use, overages are highlighted on the statements, as are the remaining funds in each department's budget. Treasurer Rodriguez also reviewed the reserves needed to cover operating expenses for the first quarter of the fiscal year, during which few revenues are received, and the use of fund balances to balance the budget in a subsequent year.

Town hall architectural study: TM Broadbent provided a draft Request for Proposals (RFP) for an architectural engineering study to determine whether the Town hall can be expanded to house the police station. The scope of work outlines the elements to be studied in terms of the expected needs of the Town 20 years from now including staff, space, storage, customer service counter, security, and parking. The study would also examine the existing conditions of the site, including soils, utilities, stormwater management and code requirements, among others. A draft has been sent to CM Osmond for input and Councilmembers are welcome to make suggestions about what else might be addressed in the study.

In response to questions, TM Broadbent added that the RFP is to be released by the end of December, followed by a pre-bid conference two weeks later, during which prospective bidders will be required to

look at the facility. Bids will be due one month after the conference.

General Assembly funding request: TM Broadbent explained she is planning to submit a bond bill request by January 6 to the General Assembly that would fund a new roof for the Town Center, reconfiguration of the power panel for the emergency generators; and, as an optional add-on, a new elevator. A new bathroom to serve the G. Love Room is not included. CM Dewey said the Seniors, who were asked about the bathroom addition, did not think it was needed. TM Broadbent asked the Council to give feedback on the bond bill in the next two weeks.

CM Osmond suggested to consider drafting a ‘campus’ master plan for the entire Town Center property based on projected future needs. This might include the current footprint of the buildings and the total buildable area of the property. He further proposed the bidders be asked to provide a per square foot cost estimate for a design they think would meet future space requirements, possibly to include plans for an energy efficiency retrofit of the buildings. CM Sweep asked if the study might take sustainability criteria into account.

TM Broadbent said the study will look only at what is possible in terms of expansion of the current structure but not produce new building designs. Architectural design that includes sustainability criteria would occur in a future phase, if a project moves forward. However, a cost estimate and basic renderings will be added to the RFP requirements.

Phil Ventura, 57th Avenue, commented that the underlying assumption of the study seems to be that the Town will continue to grow and need more staff and services. He does not see how the Town is going to grow given the current boundaries. TM Broadbent said population increase is one driver of staff increases but not the only one. Staff increases may be needed because the workload is increasing due to regulatory requirements or increase in crime, for example. As an example, CM Sweep said the more hands-on approach taken with the business community to achieve better code compliance also requires more code staff.

Mr. Ventura said the expansion study remains somewhat of a moot point because there is not enough parking that could be created to accommodate the police force. TM Broadbent said there are several available options to create parking around the Town Center, which a consultant will be better able to explain.

Census 2020: CM Dewey said she requested the 2020 Census be kept on the agenda as a standing item to remind everyone of it. She also wants to discuss how the Town can publicize the Census better. Prince George’s County provides free large Census signs she plans to get that can be posted around Town. The Census Bureau has produced a number of short video clips on the Census which can be played on the Town’s cable TV station and the website. In addition, she recommends featuring the Census in each monthly Bulletin and the Council’s e-newsletter until May 2020.

CM Osmond suggested asking members of community organizations to post yard signs, for which the County may provide funding, to advertise the Census. The Town might also ask businesses to display Census signs in their windows.

CM Dewey said schools are going to be very important for getting people to participate in the Census and they are getting ready for it. The Town need not host an event at the school but should support their efforts. One way to help is to assist people at school with using laptops and I-pads to take the Census. Mayor Isler said he thinks it would be worthwhile to hold a Census event at school in the

evening for those parents who cannot come during the day. TM Broadbent suggested advertising the Census at community events. Phil Ventura suggested when advertising the Census to highlight the fact that it has nothing to do with immigration status and that the information will be kept private.

Verizon franchise negotiations: TM Broadbent said the negotiations to renew the Verizon franchise involve legal matters, which should come before the Council. Clerk Harper explained that the first Verizon franchise agreement was negotiated in 2007 through I-Net, a coalition of Prince George's County and its municipalities providing data, video and voice communications over a secure fiber-optic network. The agreement is up for renewal in 2022. Verizon notified the Town of its intent to initiate franchise renewal negotiations in July 2019. The Town must respond whether it will enter into formal negotiations with Verizon by January 3, 2019. Clerk Harper recommends the Town again join I-Net to negotiate with Verizon. I-Net retains legal counsel with expertise in communications law to conduct the negotiations and usually obtains better terms than a municipality can get on its own.

Clerk Harper provided a draft letter to notify Verizon of the Town's intent to negotiate and a resolution approving the negotiation through I-Net, which with Council's consent will be placed on the Town meeting agenda. The Council had no objections.

3. Minutes

CM Sweep moved and CM Dewey seconded to approve the October 7 worksession minutes. The motion passed 4-0-1, with Mayor Isler abstaining. CM Osmond moved and CM Dewey seconded to approve the October 21 worksession minutes. The motion passed 4-0-1 with MPT Papanikolas abstaining. MPT Papanikolas moved and CM Dewey seconded to approve the November 4 worksession minutes. The motion passed 5 to 0. The November 13 Town meeting minutes were distributed for approval at the Town meeting.

4. Department Reports

Mayor Isler reminded residents to keep their cars locked and not leave packages sitting at the front door. CM Sweep said that loose leaf collection is ongoing. Residents are reminded to rake their leaves to the curb but not in the street. Winter weather may bring ice and snow and residents should be careful driving on hills. Everyone is encouraged to stock up their winter survival kits for their cars and homes.

CM Dewey thanked everyone who has filled out and returned the Town survey. Those who received the survey but have not filled it out are encouraged to do so. Copies may be picked up at the Town office if the original has been lost. The Tree Lighting celebration is this Saturday, featuring caroling, crafts and a visit from Santa. Old Christmas lights can be recycled in front of the Town office.

CM Osmond asked what the status of hiring another code officer is. TM Broadbent said that staff is conducting interviews with applicants. She also noted that Delegate-select Nicole Williams will be sworn in this Friday at 10:00 a.m. at the State House. Constituents are welcome to attend. The Seniors have extra tickets for a the musical 'A Christmas Carol' for this Friday. Anyone interested in attending can contact the Seniors.

5. Town Council Schedule

The Council reviewed the upcoming schedule. The December 16 worksession was cancelled. Town offices are closed over the Christmas and New Year's holidays. Residents are encouraged to review the trash schedule.

CM Dewey noted that the State Board of Public Works has postponed taking a vote on the bidding terms for the proposed widening of the Beltway I-495 and I-270 to December 18. College Park has written a letter to request delaying the vote until local governments and the public has had time review all relevant information. She suggested that Berwyn Heights review those comments and consider sending a letter, which could be approved at the upcoming Town meeting.

7. Citizens Discussion

Phil Ventura said the Prince George's charity 'Help by Phone' is running out of funds and is requesting donations. The charity is supported by a coalition of local churches, including Berwyn Presbyterian Church, and provides free food for the hungry, homeless shelters, and winter clothes for Title I schools.

The meeting was adjourned at 9:18 p.m.

Signed: *Kerstin Harper*, Town Clerk