



# Town of Berwyn Heights

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## MAYOR

Amanda M. Dewey

## COUNCIL MEMBERS

Jodie A. Kulpa-Eddy (Mayor Pro Tem)

Christopher S. Brittan Powell

Jason W. Papanikolas

Ethan D. Sweep

## Worksession Minutes February 24, 2022| 7:00 p.m. Council Chambers

### Call to Order

Mayor Amanda Dewey called the meeting to order at 7:03PM. Also present from the Council were Mayor Pro Tempore Jodie Kulpa-Eddy, Councilmember Jason Papanikolas, Councilmember Chris Brittan-Powell and Councilmember Ethan Sweep. Staff present were Town Manager Laura Allen and Town Clerk Melanie Friesen. Additionally, Mr. Bob Diss from Lindsey and Associates was present for the Audit presentation. Mayor Dewey stated that immediately prior to this meeting, the Council had met in Executive Session under Provision 1, personnel matters.

### 1. Announcements

Mayor Dewey shared that the County Executive will be holding a press conference tomorrow (Feb 25) for a Covid update. She also reported that the Berwyn Heights Police Department still has at-home Covid tests available to Town residents. CM Sweep shared that Town-wide trash pick-up will be on Friday the 25<sup>th</sup> due to the Presidents' Day Holiday.

### 2. Approval of Agenda

CM Brittan-Powell moved to approve the agenda. CM Sweep seconded. After no discussion, the motion passed unanimously.

### 3. Discussion Items

#### a. Audited Financial Statements

Mr. Bob Diss of Lindsey and Associates presented on the status of the audit for the Town. He shared that the audit should be done by now, but it has come to his attention that there is a bank account for the Recreation Council that isn't on the Town's books. He elaborated that this is considered a material weakness because there were funds that belong to the Town where the revenue and expenditures aren't being recorded. TM Allen explained that staff are getting the bank account information from the Rec Council and that the information will be sent to the auditors. The Council and Staff discussed if there were other bank accounts that needed to be accounted for. MPT Kulpa-Eddy stated that receiving the bank records from the Rec Council may be delayed because the person on the account is on vacation and that only the Rec Council president is able to access the account. CM Brittan-Powell asked if there were a way to facilitate the community groups and community engagement without it becoming onerous on the volunteers. The Council reviewed with Mr. Diss how to handle donations to community groups. Mr. Diss reviewed the circumstances that would require the Town to include

accounts from community groups as a part the Town records, depending on what EIN number was used to open the account. Mr. Diss also defined materiality in the context of Town finances, and suggested the Town develop a “cash/currency policy”. MPT Kulpa-Eddy asked the Council to consider why the account exists: to facilitate purchases for events where it would be difficult for committee members to wait for reimbursement from the Town. TM Allen stated the Town is happy to work with community groups to facilitate solutions. Town Treasurer Mike Lightfield is requesting an extension from the State to complete the audit pending information from the Rec Council.

**b. Draft Budget**

TM Allen reviewed the draft budget, highlighting that this is a status quo budget that keeps things the same, with the expectation any large projects would likely be ARPA related or funded through other reserve accounts. She also reviewed the areas where there were changes, including some staffing expenses. Council discussed issues such as vehicle replacement and the Audio/Visual equipment replacements. CM Brittan-Powell asked when a large repair would be considered significant enough to warrant its own line item. TM Allen explained that generally a repair would not be its own line item. MPT Kulpa-Eddy further defined that if a repair was \$10,000 or more, it would come before Council for approval. MPT Kulpa-Eddy stated that one committee is interested in requesting more funds than has been proposed, and asked how they could go about asking for an increase. TM Allen stated she had reached out to each group and asked about funding, and she had not heard back from anyone about needing more funding, but they could present a justification at an upcoming budget worksession. She stated that each committee is being given a proposed increase from ARPA funding for reengagement. MPT Kulpa-Eddy stated that she is concerned presenting the funding in this manner could be misunderstood to be considered an ongoing obligation rather than a one-time ARPA expenditure. CM Brittan-Powell expressed he is thankful to see reengagement being a consideration. He also asked if there were any concerns about future budgets. TM Allen replied that the largest concern she sees at this time is inflation. MPT Kulpa-Eddy asked if the budget includes the current tax rate or the Constant Yield tax rate. She expressed there is concern about the recent rise in property values that effects the tax bill amounts that residents pay. TM Allen stated that this budget is for the current tax rate. CM Papanikolas encouraged residents to check their property assessments, pulling their records from the State Department of Taxation (SDAT). Mayor Dewey shared that MML is keeping an eye on two bills that change the notification requirements for the Constant Yield tax rate. TM Allen concluded by saying that she still owes the Council information on the Public Safety Taxing District and vehicle replacement reserve fund.

**c. Debt Policy**

TM Allen shared that this policy clarifies and updates the 2011 debt policy. This policy includes definitions, updates language to reflect that it is following State law, and limits arbitrage. She would like to have the updated policy passed before the budget is passed. MPT Kulpa-Eddy asked that whenever a policy references the Town Charter, it should cite the relevant section of the Charter. She also had specific language to modify the draft policy that would grant the Town more flexibility in debt issuance and asked TM Allen to confirm the ability to work with the State to issue bonds is allowed under this policy.

**d. Reserve Policy**

TM Allen reviewed that a reserve policy is a key financial policy that the Town should have. MPT Kulpa-Eddy had shared with the Town Manager that a policy had been drafted in 2011, but TM Allen could not locate an adopted version. The policy mirrors what is already in place but codifies it. She stated the Staff recommends creating two new reserves: a Disaster Recovery reserve and a Stabilization reserve. She also reviewed the current categories of reserves that the Town has. MPT Kulpa-Eddy asked about the Greenbelt Station money, as she believes it to be restricted or committed. TM Allen stated that the auditors did not define it as restricted, but she will look into it. MPT Kulpa-Eddy asked about the road tax, which should be a committed fund for infrastructure. The Council discussed the Stabilization fund, which reserves approximately 3 months of Town expenditures and the Disaster Recovery reserve which would set aside \$250,000 the Town Manager could allocate to respond to a natural or man-made disaster. MPT Kulpa-Eddy stated she is not sure of the value of a Disaster Recovery reserve. The Council spent time discussing the pros and cons of establishing a Disaster Recovery reserve and the function of this reserve compared to expenditures allowed under the Town's emergency management plan. After discussion, the Council verbally agreed to remove the Disaster Recovery reserve from the policy and increase the Stabilization reserve from 20% of annual expenditures to 25%.

**e. Council Rules, 1&2**

Council reviewed the draft documents for Council Rules 1&2. MPT Kulpa-Eddy asked for clarification in Council Rule 1 on the process to amend the consent agenda. CM Sweep noted that Council Rule 2 previously included the meeting minutes formation and review processes, and since that has been moved to Council Rule 1, Council Rule 2 is open to address a new topic. Council Rule 2 is now proposed by CM Papanikolas to define the roles of Council and Staff. The Council had a generally positive response to the new Council Rule 2, asking for some citation and clarification. TM Allen offered to meet with residents who are running for Council during the election period. She encouraged those running for Council to come to meetings, ask questions and get to know the process prior to the election.

**4. Department Reports**

**Mayor Dewey** reported that Council will be back in session on the 7<sup>th</sup> of March for a worksession. She also reviewed the upcoming meetings for the Education Advisory Committee which will be virtually held on February 28<sup>th</sup>, and the Rec Council meeting on March 8, which is moved from March 1. She shared again about the County Executive's pending press conference as well as Covid testing at Wells Ice Rink and the Berwyn Height's Police Department take home Covid test kits. She highlighted a Booster Shot Clinic at the Sanctuary of Kingdom Square. She gave thanks to the BHPD for all the work they have done to stem catalytic converter theft. Additionally, she shared that County Councilmember Glaros will be having a Resource Fair and Town Hall on March 21<sup>st</sup> in a hybrid format. Finally, she shared about a county sponsored expungement clinic.

**MPT Kulpa-Eddy** shared that the County Council Redistricting map was overturned in circuit court and that the County has appealed that decision. The State Court of Appeals will be hearing the case on March 4. She shared that the BHEAC will be meeting on the 28<sup>th</sup> and will be drafting a letter on the potential impact of school boundary changes on Berwyn Heights. She also shared that the Rec Council meeting has been moved to March 8. On Wednesday, March 2 the NW/EP meeting will be held virtually. Finally, she encouraged families to sign up with the Berwyn Heights Boys and Girls Club for soccer and track by the end February, as most practices begin in March. CM Brittan-Powell asked if there was an opinion among the affected

residents of the proposed school boundary changes. MPT Kulpa-Eddy stated she has heard anecdotal comments from individuals, but not from the community as a whole. Those she has spoken to would prefer our College Park neighbors continue to attend Berwyn Heights Elementary School. CM Papanikolas shared that the County is making an effort to have the schools match the demographics of the areas. Mayor Dewey stated she was most comfortable relying on the EAC recommendations in this matter.

**CM Papanikolas** shared that there were four new building permits in Town. He also stated that in regard to the expungement clinic, if you've had a conviction in Maryland for a drug that has now been decriminalized, you will need to have that record expunged. He also stated that the same is true for those who have received probation before judgement.

**CM Brittan-Powell** stated that the whole of this meeting and the previous executive session was covering what has been happening in Administration.

**CM Sweep** shared that Friday is North- and South-side trash collection and that next week the schedule is back to normal. He also reported that freezing rain is possible for Thursday night and Public Works will be monitoring the situation to see if they need to respond. He gave the PGCMA update which focused heavily on the loss of Hyattsville Mayor Kevin Ward and mental health resources for elected officials. He also shared about the status of the legislative session in Annapolis, highlighting SB376, for which the Town has already written a letter of support, as well as HB1184 (the Police Accountability Board Bill) hearing on March 1 and HB0227 which would recognize Juneteenth as a State Holiday.

## **5. Resident & Community Comments**

MPT Kulpa-Eddy reported that a resident noticed the school zone flashing light on Pontiac Street is fixed. CM Sweep told MPT Kulpa-Eddy that he had received several comments that the Town wide trivia event was appreciated. Mayor Dewey shared that the Town had received several compliments for the Public Works crews. There were no other community comments.

## **Adjournment**

CM Brittan-Powell moved to adjourn the meeting. CM Sweep seconded. After no discussion the motion passed unanimously, and the meeting adjourned at 9:00PM.