



TOWN OF BERWYN HEIGHTS

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

MAYOR
Lynn White

COUNCIL MEMBERS
Stephen Isler (Mayor Pro Tem)
Amanda Dewey
Jason Papanikolas
Ethan Sweep

Worksession Minutes December 3, 2018

Executive Session (5:30 p.m. – 7:00 p.m.)

Personnel matter

Regular Meeting (Starting 7:04 p.m.)

Present were Mayor Pro Tem Stephen Isler, presiding, Councilmembers (CMs) Amanda Dewey, Jason Papanikolas and Ethan Sweep. Mayor Lynn White and had an excused absence. Also present were Town Manager (TM) Maria Broadbent, Clerk Kerstin Harper, Director of the Local Government Infrastructure Financing Program of the Department of Housing and Community Development (DHCD) Charles Day, NW/EP Co-chair Mike Attick and citizens.

1. Citizen Comments

Mike Attick, 62nd Avenue commented that he observed Public Works employees picking up leaf piles with the vacuum machine, but they had difficulty doing the job efficiently because they did not have rakes.

Phil Ventura, 57th Avenue, criticized the execution of the last portion of the street resurfacing project at along 56th Avenue. He believes that new curbs were improperly installed, and drainage problems not fixed leading to ice formation in winter.

2. Announcements

MPT Isler reported that the Council had a good legislative dinner with its State and local representatives and obtained a lot of useful information. CM Dewey added that Berwyn Heights is lucky with its representatives as they are very responsive and interested in the Town. The Green Team will continue to hold its Town cleanups on the third Saturday of each month, rain or shine.

3. Presentation on DHCD bond issuance process

Charles Day introduced himself saying he administers DHCD's Local Infrastructure Financing Program, which helps smaller Maryland municipalities obtain loans on favorable terms for critical infrastructure projects. Infrastructure encompasses any structure or equipment that is owned and operated by the public service system for the public benefit, ranging from local roads, to municipal buildings to service vehicles.

The program was created by the General Assembly in 1985 and has since put together some 30 pooled issuances, raising over \$470 million on behalf of local governments. The program is particularly suitable for small municipalities, such as Berwyn Heights, which don't regularly issue bonds themselves. DHCD regularly reaches out to identify jurisdictions that want to participate in a financing, then pools their requests to capture economies of scale, and raises money in the financial markets. The cost of issuance is shared by participants on a pro rata basis, without the need to hire financial advisors or bond counsel.

Local governments can finance one or multiple projects ranging from 5 to 30-year terms. Interest rates are fixed over the term of the bond, but there is a lock-out period of 10 years prior to which the bond cannot be pre-paid. Interest rates are slowly rising but are still in a historically low environment. At this point a 5-year bond would have rate of 2.75%, a 10-year bond 3.25%, a 15-year bond 3.8%, etc.

In response to questions, Mr. Day said that over its 30-year history, there has not been a case in which a municipality has not paid its debt service. However, it is important that a municipality carefully assess what amount of debt it can afford. The application process is fairly involved as the DHCD asks for information such as a rating agency may ask to determine the financial condition of the Town. Additionally, participants are required to pledge their full faith and credit to repay the bond, meaning that municipalities would need to raise money from taxes to repay bonds if they find themselves unable to pay. The next bond issuance is planned for the spring of 2019 with an application deadline of the end of January.

Mike Attick asked what happened with Berwyn Heights being dropped from the DHCD August bond issue. Mr. Day said there was a perfect storm of unusual circumstances that cast doubt upon the Town's commitment to take out the bond. With change in leadership of the Town Council and the Mayor refusal to sign the final bond documents, DHCD's legal counsel advised to remove Berwyn Heights from the bond issue.

Neighborhood Watch/ Emergency Preparedness status: MPT Isler said, at its last meeting, the NW/EP/CERT Committee discussed the possibility of disbanding. Mr. Attick was invited to attend the worksession to explain what the Committee plans to do.

NW/EP Chair Mike Attick said he and Co-chair Merrill Weinrich had a recent meeting with TM Broadbent and Chief Antolik. They were told that the Town would like to dispose of the emergency trailer, which would put the Community Emergency Response Team (CERT) out of business. He got the impression the Town no longer wants or needs the services NW/EP/CERT provides.

TM Broadbent said she and Chief Antolik had two meetings with NW/EP/CERT and discussed the status of the Committee in terms of organization, membership, and members' training. They also discussed the range of options for re-organization: from complete independence from the Town to becoming a recognized Town organization. In the latter case, the Committee would sign an MOU with the Town, would be activated by the Town in an emergency, and would be covered by the Town's insurance. The focus of the Committee would be on community outreach and training citizens in emergency preparedness. On the other hand, the Town would not want Town-affiliated CERT volunteers to perform hazardous activities, such as cutting down trees on private property, because insurance would not cover it.

TM Broadbent continued that the Town does not want to maintain the emergency trailer because it is old and no longer roadworthy. Emergency supplies could be stored in a Town facility. If the Town wanted to set up an emergency shelter during an adverse weather event, it could ask the Red Cross to send a trailer with all the necessary equipment.

Mr. Attick replied, in his experience, the Red Cross or other official responders may take quite some time to arrive on scene if a disaster strikes. Roadways may be blocked by fallen trees or flooded. Beyond that, he doubts the Red Cross has enough trailers to serve the entire County. Having one's own resources already in place will make a big difference because time is of the essence in responding to emergencies.

CM Dewey asked whether NW/EP/CERT would consider signing an MOU with the Town. Mr. Attick replied that his Committee provided Standard Operating Procedures to the previous Council, but nothing

became of that. He does not object to having an MOU with the Town but believes it would not change the situation on the ground. First responders respond regardless of MOUs. NW/EP can be particularly useful after hours and on weekends when Public Works is not on duty to remove trees and debris from the roadway or help residents.

CMs Sweep and Dewey said from the Town's perspective an MOU with NW/EP/CERT is needed to protect it from liability when NW/EP volunteers deploy and act on behalf of the Town. TM Broadbent added that the Town has a need for NW/EP to perform outreach, training and other non-hazardous activities under the direction of the Town. Alternatively, the Town could award grant money to an NW/EP/CERT that is an independent 501 (c) 3 organization, self-activates and maintains its own equipment. Mr. Attick replied that Berwyn Heights CERT, Inc. is a 501 (c) 3 organization but the members are planning to disband it because it requires regular administrative work. He said he will present the options laid out tonight at the next NW/EP meeting and inform the Town of its future plans.

Council Rules 1-19 revision: MPT Isler said that the Council has gone through all 19 Council Rules and made the changes it deemed necessary. In addition to updating the content, seven Council Rules were earmarked for being moved to the Charter, the Employee Manual or an Ordinance. Two Rules were merged and one was deleted. MPT Isler asked for any further changes. A number of typographical errors were corrected. The revised set of Council Rules will be adopted at the December 12 Town meeting.

Charter Amendment: MPT Isler said that the Council revised the Charter Amendment Clarifying the Mayor Pro Tem Authority. He read revised Sections 306.2 A-C and asked if there are any additional thoughts or comments. With no further changes, the Charter Amendment will be up for adoption at the December 12 Town meeting.

Call-a-Bus: TM Broadbent explained that the Call-a-Bus was provided to the Town by Prince George's County as part of a program to provide transportation to County residents who are not served by, or cannot use, existing bus or rail services. Priority is given to seniors and persons with disabilities. The bus is currently on loan to the City of Greenbelt as a backup for their main bus. Greenbelt pays for its maintenance and Berwyn Heights for insurance. Berwyn Heights residents can make reservations for rides with Greenbelt but there are now only 2 seniors who use the service regularly.

The County has offered to sell the 1998 call-a-bus to the Town for \$1.00. Staff recommends accepting the offer and then selling the bus to Greenbelt for \$1.00, with the understanding that Berwyn Heights residents will continue to have access to the service.

In discussion the Council expressed concern about the Seniors Club and other Town organizations not being able to use the bus for field trips if it is transferred to Greenbelt. CM Dewey asked if the Town could enter into a Memorandum of Understanding (MOU) that guarantees the Town access to the bus for such use. TM Broadbent said that the Seniors prefer to use their own transportation for field trips instead of the bus because it is difficult to get into and uncomfortable to ride. Seniors who need a ride are usually transported in the Code vehicle. The Council agreed to sell the bus but asked to explore an MOU with Greenbelt to permit Berwyn Heights residents continued use.

Door-to-door solicitation: MPT Isler said there have been a number of complaints about door-to-door salesmen who are pushing residents to sign up for a different electric supplier. In some cases, they have demanded to see electric bills and refused to leave the premises when asked. Chief Antolik advises to call Berwyn Heights Police if there is a problem with solicitors. All vendors are required to have a BHPD permit but no permits have been issued to vendors of electric supply. Further, all residents are reminded not leave packages on their door steps during the holiday season as they may be stolen.

5. Minutes

On a motion by CM Papanikolas and second by CM Dewey, the November 5 worksession minutes were approved 3-0-1, with CM Sweep abstaining. The November 14 Town meeting minutes were distributed.

6. Department Reports

MPT Isler announced upcoming events and holiday closings. CM Sweep said, with winter weather on the way, residents are requested to make room for Public Works trucks spreading salt and plowing snow. Residents are also requested to clear snow and ice of any sidewalks abutting their property. Police will respond with wellness checks if someone has no heat or is freezing.

CM Dewey said that BHPD keeps a list of seniors and people with disabilities on whom they will check when it gets very cold or snowy. Seniors are encouraged to fill out a form in the December Bulletin to provide their contact information if they want to take advantage of this service. CM Dewey also asked residents not to put cans with paint into the trash. Paint can be recycled at the Greenbelt Public Works yard or the County landfill.

7. Town Council Schedule

The Council reviewed their schedule. The Green Team meeting was canceled. The Ancostia Watershed Society presentation was added to the December 17 worksession agenda. The appointment of two Historical Committee members was added to the Town meeting agenda.

8. Citizen Discussion

Phil Ventura, 57th Avenue, commented the Council should not be in a hurry to take out another bond issue. The recently completed road project showed that the Town does not get its money's worth for street work. He believes it is better to save up for road projects instead of taking out loans. Mr. Ventura further suggested the Council should modify Section C of the Charter Amendment to have a 3rd party vote on behalf of the Mayor if the Council plans to declare the Mayor to be derelict in his/ her duty.

Mike Attick, 62nd Avenue, asked about a mediation meeting between the Mayor and Council; what type of lift the Town plans to get for its refuse trucks; and the actual cost of the road project. MPT Isler and TM Broadbent replied that a mediation meeting is in the process of being set up; that refuse trucks would be equipped with tippers, not overhead arms; and that Mr. Attick will be provided information about the expenses incurred for the road project. Mr. Attick also commented that this Council is doing a good job but suggested the Council familiarize itself with what has been going on in the Town before they were elected.

The meeting was adjourned at 9:57 p.m.

Signed: *Kerstin Harper*, Town Clerk