

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY – AUGUST 22, 2016

**COUNCIL CHAMBERS – BERLIN TOWN HALL
10 WILLIAM STREET
BERLIN, MD 21811**

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Laura Allen, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.

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BERLIN MAYOR AND COUNCIL

Meeting Agenda

Berlin Town Hall
10 William Street

Monday, August 22, 2016

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 7/25/16
 - b. Statement of Closure for Executive Session of 7/25/16
 - c. Regular Session of 7/25/16
2. Letter to Worcester County Commissioners – The Bay Club – Mayor Gee Williams
3. Motion to Approve 2016-35
Contract Modification – Stormwater Construction Management, Inspection and Design Services – EA Engineering, Science and Technology, Inc. – Project Manager, Darl Kolar
4. Departmental Reports:
 - a. Finance Director – Natalie Saleh
 - b. Administrative Services Director – Mary Bohlen
 - c. Water Resources/Public Works – Jane Kreiter
 - d. Electric – Tim Lawrence
 - e. Police – Arnold Downing
 - f. Planning – Dave Engelhart
 - g. Managing Director – Jeff Fleetwood
 - h. Economic and Community Development – Ivy Wells
5. Town Administrator's Report:
 - a. Items Approved by Council Poll
 1. Community Parks and Playgrounds Grant Application – Administrative Services Director Mary Bohlen
 2. Hudson Branch Stormwater Projects – Town Administrator Laura Allen
 - Flower Street Culvert contract award
 3. Purchase of John Deer 6105E Cab Tractor
 - b. Requisition 201700047 to be approved
6. Comments from the Mayor
7. Comments from the Council
8. Comments from the Public
9. Comments from the Press
10. Adjournment

WRITTEN STATEMENT FOR CLOSING A MEETING UNDER THE OPEN MEETINGS ACT

Date: 07/25/16 Time: 6:05 pm Location: Conf. Room Motion to close meeting made by: Brittingham

Seconded by _____, Members voting in favor: Burrell, Gulyas, Hall and Purnell

Opposed: 0 Abstaining 0 Absent 0

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
(2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
(3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
(4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
(5) To consider the investment of public funds;
(6) To consider the marketing of public securities;
(7) To consult with counsel to obtain legal advice on a legal matter;
(8) To consult with staff, consultants, or other individuals about pending or potential litigation;
(9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
(10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
(11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
(12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
(13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
(14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

§3-305(b) (3) To consider the acquisition of real property
§3-305(b) (7) To consult with legal counsel
§3-305(b) ()

This statement is made by Wm. Gee Williams, III, Presiding Officer: SIGNATURE

WORKSHEET FOR USE IN CLOSED SESSION (CHECKLIST OF DISCLOSURES TO BE MADE IN MINUTES OF NEXT REGULAR MEETING- NOT A PART OF THE CLOSING STATEMENT)

PERSONS ATTENDING CLOSED SESSION: M & C, L. Allen, J. Fleetwood, M. Bohlen, D. Gaskill, J. Kreiter, D. Engelhart

TOPICS ACTUALLY DISCUSSED 507 Flower, LLC lot, Harrison Ave./Baker St., Bay Club, ADA complaint

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES:

TIME CLOSED SESSION ADJOURNED: 7:05

PLACE OF CLOSED SESSION Town Hall, 2nd Floor Conference Room

PURPOSE OF CLOSED SESSION: Acquisition of real property; consult with legal counsel

STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) (3); (7); ()

MEMBERS WHO VOTED TO CLOSE: Burrell, Gulyas, Hall, Purnell



BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, July 25, 2016

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

Present: Mayor Gee Williams, Councilmembers Elroy Brittingham, Dean Burrell, Thom Gulyas Lisa Hall and Troy Purnell.

Staff Present: Town Administrator Laura Allen, Administrative Services Director Mary Bohlen, Water Resources/Public Works Director Jane Kreiter, Finance Director Natalie Saleh, Managing Director Jeff Fleetwood, Chief of Police Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells and Town Attorney David Gaskill.

Following the Lord’s Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:10 PM.

1. Approval of the Minutes for:

a. Executive Session of 7/11/16:

On the motion of Councilmember Gulyas, the Executive Session minutes of July 11, 2016 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell			X		
Thom Gulyas	X				
<i>Voting Tally</i>	4	0	1		

b. Statement of Closure for Executive Session of 7/11/16:

Mayor Williams read the Statement of Closure.

c. Regular Session of 7/11/16:

On the motion of Councilmember Gulyas, the Regular Session Minutes of July 11, 2016 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell			X		
Thom Gulyas	X				
<i>Voting Tally</i>	4	0	1		

2. Property Purchase Agreement with 507 Flower, LLC:

Ms. Allen turned the discussion over to Mr. Gaskill. Mr. Gaskill explained the terms of the sale as outlined in the agreement: Payment of \$70,000 at settlement, \$25,000 to be placed in escrow for the express purpose of the purchase and installation of a fence, arborvitae and a walking path. Mayor Williams asked for comments from the audience. A member of the audience, whose residence was at 521 Flower Street, indicated her concern that the fence and arborvitae would not adequately cover the area where people were often cutting through neighboring properties. Discussion followed explaining that the intent of these measures was to help the properties closest to the development. Mayor Williams noted that the fence would be purchased and installed as soon as possible, the arborvitae would be planted in late September-early October and the trail developed in the spring. Councilmember Brittingham noted that additional considerations for the neighborhood were being discussed and Mayor Williams indicated that issues like improving transportation options and playground facilities were under consideration. Councilmember Burrell moved to approve the purchase as written in the Agreement.

Mr. Zack Tyndall asked if these kinds of measures were normal with developments and why it was being done this time. Mayor Williams indicated that there was not enough of a buffer between the development and the first three neighboring properties. Ms. Allen noted that, in future, efforts would be made to present plans in a way that creates a better visual of what the final project would be. Discussion of exceptions made to the Town standards and/or building code followed.

Mayor Williams called Councilmember Burrell’s motion and approval was as follows:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall		X			
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	4	1			

Councilmember Burrell noted that this decision was the result of extensive effort and persistence on the part of Mayor Williams and Ms. Allen to reach an acceptable arrangement for all parties. Councilmember Hall indicated that this was a fortunate solution for the neighborhood, but urged the public not to wait until a project was under construction, but rather to be involved during the approvals process. Mr. Gabe Purnell noted that these types of situations were “growing pains” and that the Town was learning better how to handle its growth.

3. Design and Construction Standards for Water, Sewer & Roadway Systems:

Ms. Kreiter introduced Mr. Rob Duma of Davis, Bowen & Friedel to discuss the proposed revisions to the document (commonly referred to as the “Town Standards”) and explained that these changes were a result of changes in technologies, industry standards, experience with past projects and efforts to standardize equipment throughout the Town.

Councilmember Hall indicated that when Developers wished to make changes to the requirements in the standards the request would go to the Planning Commission and then to Board of Appeals. Mr. Gaskill clarified that neither the Planning Commission nor Board of Appeals had authority to make the exceptions; ultimately the Mayor and Council voted

to allow the exceptions, as was allowed in the Town Code. Mr. Engelhart clarified that, for the Cannery Village project, the Planning Commission recommended approval of the reduction in the road width, but the Mayor and Council had the final say on granting the exception. Discussion followed regarding this process. Councilmember Burrell noted that "hindsight is 20/20", but the Council made the decision at the time of the discussion and that, as a body, they voted to deviate from the standards as per the process. Councilmember Brittingham noted that that was why it was important that the Mayor and Council make the effort to work with the residents who were not satisfied with the way the project ultimately turned out.

Mayor Williams asked Ms. Kreiter and Mr. Duma if additional changes can be made at a later date and Ms. Kreiter indicated that the document was on its fourth revision and revisions were to be expected over time. Mr. Gabe Purnell asked if there was a Public Hearing for exceptions to the Town Standards and Mayor Williams and Ms. Allen confirmed that this was the case. Councilmember Hall moved to approve the revisions to the Town Standards as presented and approval was as follows:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5				

4. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh noted that auditors from Pigg, Krahl, and Stern would be on site this week and then returning in September. Mayor Williams inquired as to when the audit report would be presented. Ms. Saleh indicated that, because of the change in software, the report may be a little later this year – probably in December, rather than November.

Ms. Saleh also noted that both finance and utility billing were running on the Tyler software at this point and that the only hold-up was the credit card system, but that she was hopeful that the Town would be able to accept credit cards again, starting the following day. She also noted that the online payment system was now available and that she was hopeful that other bills, such as miscellaneous invoices and business licenses could be paid online by the end of the year.

Councilmember Brittingham asked Ms. Saleh about the billing period on the most recent utility bill; Ms. Saleh indicated that it was a longer period and that the bill did not reflect recent payments. Mayor Williams noted that the goal was to have automated metering, but that currently there was not a vendor that provided both electric and water metering together. In response to a question from Councilmember Burrell, Ms. Saleh also indicated that going forward, customers would be able to see a monthly history of their account.

b. Administrative Service Director – Mary Bohlen: No report.

c. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter brought the Mayor and Council's attention to a photo of the ongoing painting project at the Franklin Avenue water tower. Water Resources staff would be reading meters over the next few days. Ms. Kreiter expected to have a start date for the Branch Street sidewalks soon.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence noted that seasonal employees have been painting street light poles and the Electric Department is working on tree trimming. He noted that the Power Plant has run ten (10) times in recent weeks and may run an additional three times in the coming week; if so this will tie for the most operation on record. The Electric Department participated in the recent bathtub races and has been providing new home services and replacing the lights in the Visitor Center.

e. Police Chief – Arnold Downing

Chief Downing noted that the Police Department had recently hosted the Berlin Youth Program at Jolly Roger and thanked Main Street Deli and Baked Desserts for providing lunch and dessert, as well as Robin Tomaselli individually for assisting with chaperoning. Chief also noted that the Police Department had recently participated in prayer vigils for Law Enforcement and was getting ready for National Night Out, scheduled for Tuesday, August 2, 2016 from 4-7 PM in Henry Park.

f. Planning Director – Dave Engelhart

Mr. Engelhart noted that the Planning Commission had met on July 13, 2016 and reviewed the site plans for AGH Cancer Center and the new Worcester County Library. Councilmember Hall asked that the presented visuals be put up on screen for the entire audience to see.

g. Managing Director – Jeff Fleetwood: No report

h. Economic and Community Development - Director Ivy Wells

Ms. Wells noted that there would be a "Buy Local Challenge" and asked anyone buying an item made in Berlin to post a photo to the Town's Facebook page. She also noted that "Princess Bride" would be shown in Stephen Decatur Park the coming Saturday; Ms. Bohlen thanked her for the reminder. Ms. Wells reminded everyone that both the Berlin Peach and Heritage Festivals would be held on Saturday, August 6, 2016; shuttle service would be available from Berlin Intermediate School. She thanked Mr. Fleetwood and seasonal employee Steven Phelps for the recent painting at the Welcome Center and Joe and Susan Moore for the artists' pedestals they recently donated.

5. Town Administrator's Report – Laura Allen

Ms. Allen noted that a Community Meeting to be held on August 9, 2016 at 6 p.m. at the Multi-purpose Building was being planned to discuss the two upcoming Hudson Branch Stormwater Projects. A press release was being prepared and flyers would be hand-delivered to residents in the Flower Street area.

Ms. Allen also introduced Ms. Kelsey Jensen who was in the audience and would be joining the Town staff on August 9, 2016 as the Administrative Assistant.

Ms. Allen requested approval for a Requisition to Freemire & Associates in the amount of \$14,790.00 for High Tide Technologies Cellular Monitoring System and Purchase Order 201600032 to Pep-Up, Inc. in the amount of \$22,800.00 for Low Sulfur Diesel Fuel for the

Power Plant. Councilmember Gulyas moved to approve the two purchases as presented and approval was as follows:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0	0		

6. Comments from the Mayor:

Mayor Williams reminded everyone to keep an eye on each other in the heat and thanked everyone for participating in the Tweak Our Peak program.

7. Comments from the Council:

Councilmember Gulyas noted that he had recently been made aware of several items needing attention at Stephen Decatur Park: a non-working water fountain, the need for new matting under the swings, a broken spring rider and poison ivy throughout the park. He also thanked Water Resources for the painting of fire hydrants throughout Town.

Councilmember Hall had no comments.

Councilmember Brittingham thanked Ms. Bohlen for the recent CodeRED announcements regarding the Tweak Our Peak program.

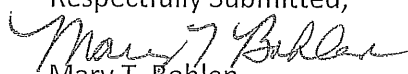
Councilmember Burrell asked if the water fountains were turned on in the parks and Ms. Kreiter indicated that were turned on for events. He asked that they be turned on during the hot days and Ms. Kreiter indicated that they would be turned on during the day.

8. Comments from the audience: None

9. Comments from the Press – none

10. On the motion of Councilmember Burrell, Council meeting was adjourned at approximately 8:15 pm.

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0	0		

Respectfully Submitted,

 Mary T. Bohlen
 Administrative Services Director



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316



COPY

August 22, 2016

Mayor
Wm. Gee Williams, III

Vice President
Elroy Brittingham, Sr.

Council Members
Dean Burrell, Sr.
Thomas Gulyas
Lisa Hall
Troy Purnell

Town Attorney
David Gaskill

Town Administrator
Laura Allen

Mr. Madison Bunting, President
Worcester County Commissioners
Worcester County Government Center
1 W. Market Street, Room 1103
Snow Hill, Maryland 21863

Subject: Concerns regarding the possible re-development of The Bay Club

Dear Commissioner Bunting:

The Berlin Mayor and Council has been informed the Worcester County Board of Appeals will be asked to consider a special exception from the owners of The Bay Club golf course, just west of the Town of Berlin, to enable the property to be developed into between 200 -250 campsites on the existing site.

The Town of Berlin has concerns regarding how water and sewer services will be provided, as well as the amount of traffic that will be generated by motor vehicles trying to reach all points east of the potential campground development.

It is our understanding that the Worcester County Board of Appeals will be asked to consider this special exception for The Bay Club property at a meeting later this fall. Given the extraordinary situation of this potential development's proximity being so close to our municipality's western boundary, we respectfully ask that Worcester County keep us informed as the project moves through the regulatory process.

I appreciate your assistance in this matter. If you have any questions please give me a call.

Sincerely,

Wm. Gee Williams, III
Mayor

Cc: Town Council Members
Laura Allen, Town Administrator
Dave Engelhart, Town P&Z Director
David Gaskill, Town Attorney



EA Engineering, Science,
and Technology, Inc., PBC

11202 Racetrack Road Unit 103
Ocean Pines, MD 21811
Telephone: 410-641-5341
Fax: 410-641-5349
www.eaest.com

August 18, 2016
EA Proposal No. 0790780A

Laura Allen
Town Administrator
Town of Berlin
10 Williams Street
Berlin, MD 21811

RE: Modification Proposal for Construction Management/Inspection and Engineering Consulting Services in Accordance with Grant Requirements

Dear Ms. Allen:

EA Engineering, Science, and Technology, Inc., PBC (EA) welcomes the opportunity to submit this modification proposal to provide engineering consulting services and construction management/inspection services for Hudson Branch Stormwater Management Improvement Projects. EA has worked closely with the Town of Berlin and several funding agencies to secure approximately \$1.9M in funding for construction of these proposed projects. The grant awards require certain requirements, documentation and oversight be completed during construction and EA understands the effort is reimbursable through the funding agency. As you are aware, the Town has recently awarded contracts for both the Hudson Branch and Flower Street Offline Wetlands and Culvert Replacement Projects. Construction is scheduled to start this week with the initial site layout and clearing and grubbing. Details of the proposed scope of work for these services are presented in Attachment A.

Project Schedule—EA understands that the project schedule is important to the Town of Berlin. Therefore, we propose to continue to work closely with your personnel upon notice to proceed to define a completion schedule that will best satisfy the Town. To facilitate an attainable schedule and to coordinate with funding and regulatory agencies, EA proposes to conduct progress meetings twice per month. These meetings will be integral in the tracking of each task.

Fee—EA has prepared the fee on a task by task basis. EA understands that these funds for professional services to include design and construction administration, management and inspection are reimbursable through the Community Development Block Grant administered through the U.S. Department of Housing and Urban Development or the Department of Natural Resources. The following is a summary of the additional fee proposed per task.

TASK	Fee
Task 1 – Graham, Grice and Nelson Avenue SWM Design	\$39,886.02
Task 3 – Williams Street near Electrical Plant SWM Design	\$ 7,659.34
Task 4 – Hudson Branch Off-line Wetlands CM/CI Services	\$99,627.73
TOTAL	\$147,173.09



The work described under this proposal will be performed on a lump sum basis as a modification to EA Project 1470407 with the Town of Berlin.

We appreciate the opportunity to continue our long history of partnership with the Town of Berlin in this endeavor and intend, throughout the course of this project, to act as a valuable and reliable extension of your staff. As the Town is aware, EA's close proximity to the Town of Berlin will continue to provide the Town with the added benefit of EA's availability to meet in person with short notice. Feel free to contact me at (410) 641-5341 should you have any questions concerning this proposal.

Sincerely,

A handwritten signature in cursive script that reads "Darl Kolar".

Darl Kolar, BCEE, P.E.
Project Manager

CC: Jane Kreiter, Town of Berlin
Mark Gutberlet, P.E. EA Engineering

Enclosures

ATTACHMENT A

SCOPE OF WORK FOR TOWN OF BERLIN STORMWATER MANAGEMENT PROJECTS ENGINEERING CONSULTING, DESIGN AND CONSTRUCTION MANGEMENT AND INSPECTION SERVICES AUGUST 2016

This modified Scope of Work (SOW) describes the tasks included to continue to provide engineering consulting and design services along construction management and inspection services associated with individual stormwater management improvements within the Town of Berlin. The stormwater management improvements will be associated with four separate areas specifically identified as areas of frequent flooding within the Town of Berlin.

The project has been structured into four Tasks, which are identified as follows:

- Task 1 – Graham, Grice and Nelson Avenue SWM Design
- Task 2 – West Street near Abbey Lane SWM Design
- Task 3 – Williams Street near Electrical Plant SWM Design
- Task 4 – Hudson Branch at Flower and Showell SWM Design

Task 1 – Graham, Grice and Nelson Avenue SWM Design

Based on feedback from the Town residents, the Town has decided to move forward with the Hudson Branch and Flower Street Offline-Wetlands Project as an initial project. This task includes the additional effort to design and permit the offline wetland project. Below is the supplemental effort to design the Hudson Branch and Flower Street Offline-Wetlands Project

Design Services

Following the gathering of topographic and geotechnical information, EA will provide design services for the proposed stormwater management improvements in the area Hudson Branch just downstream of Flower Street. EA will design in accordance with applicable details and specifications as identified in the Town's "Construction Standards and Specifications for Water, Sewer and Streets." The design will utilize record drawings (provided by the Town), information collected during site visits, the survey information and geotechnical investigation.

As an initial step, EA will model the existing conditions utilizing TR-20 and Hydraulflow Storm Sewer software. EA will then design the stormwater management improvements to mitigate the experienced flooding and design the system to the 10-year storm event.

Key components of the design effort include:

- Identification of existing conditions based on existing and readily available record drawings, a site visit and inspection, the site survey, and geotechnical investigation. These existing conditions will be recorded on a site and utility plan.
- Completion of the hydrologic and hydraulic models.

- A Concept Design including the site, existing conditions, utilities, proposed stormwater management improvements and some standard details.
- Design components are anticipated to include a stormwater management offline wetland, site grading, low flow and over flow control devices, , and erosion and sediment control measures.
- Upon approval of the Concept Design, EA will develop a Final Design and Concept Design suitable for competitive bidding including the invitation to bid, general conditions, special conditions, bid form, bond form, notice of award, performance bond, payment bond and notice to proceed.
- Coincident with the design effort, EA will prepare complete submittals for the permits listed below.
- EA will include notes relating to the maintenance of traffic on the contract drawings
- EA will provide a detailed Engineering Construction Cost Estimate based on the final design.

EA anticipates that the following drawings and specifications will be required:

Drawings

- 1 - Title Sheet
- 2 - Existing Site Plan
- 3 - Proposed Wetland Plan
- 4 - Details and Sections
- 5 - Erosion and Sediment Control Plan
- 6 - Erosion and Sediment Control Notes
- 7 - Erosion and Sediment Control Details

Permits and Approvals

Based on the design improvements, EA will obtain the following permits and approvals required for construction:

- General Permit for Stormwater Associated with Construction Activity from the Maryland Department of the Environment
- Letter of Authorization from the Maryland Department of the Environment
- Erosion and Sediment Control permit from Worcester Soil Conservation District
- EA assumes that specific permits for traffic control and/or maintenance of traffic plan approval is not required.

EA will submit permit applications after incorporating Town comments from the 90% design submission. It is anticipated that permits will not be required from the State Highway Administration for this location.

Task 2 – West Street near Abbey Lane SWM Design

Due to the critical need of the replacement of the existing stormdrain along West Street between Broad Street and Bottle Branch, effort under this task is associated with the stormdrain piping replacement. The improvements associated with this area include a regional stormwater

management system consisting of stormdrain piping along West Street from Broad Street to Bottle Branch. The original scope for work for the design of the stormwater management pond at the intersection of Abbey Lane and West Street along with the design of a new stormdrain pipe from Abbey Lane to Bottle Branch will not be performed. No additional effort is proposed under this task.

Task 3 – Williams Street near Electrical Plant SWM Design

Modifications under this task include effort associated with assisting the Town with procuring permanent easements and grant coordination. The following details the effort associated with the Easement Preparation, Meetings and Coordination Services and Grant Services.

Easement Preparation, Meetings and Coordination Services

EA will assist the Town with seeking the permanent easements necessary to implement and construct the stormwater management improvements in the area of Hudson Branch just downstream of Williams Street. EA understands that up to three separate permanent easements will be required to be obtained from the private owners. EA will assist the Town in obtaining the required plat surveys which will be required to record the easements with Worcester County. EA will provide the surveyor contracted by the Town to provide the easement area required to complete the stormwater management improvements.

Grant Coordination

As the Town is aware, the Town has been awarded several grants for the proposed projects. Each grant has specific requirements to maintain compliance. EA will assist the Town with the reporting and tracking required as stipulated in the grant award letters. The following is a summary of the items EA will assist the County with to adhere to the grant requirements.

- Prepare and submit quarterly reports
- Prepare contract documents to include grant requirements for wage rates, bonds, certified payroll reporting and the CDGB Section 3 requirements
- Assist the Town with procuring independent appraisals for proposed easements in accordance with CDBG.

Task 4 – Hudson Branch at Flower and Showell SWM Design

The area associated with Hudson Branch near Branch Street, Flower Street and Showell Street is a high priority area of concern regarding flooding within the Town of Berlin. The proposed stormwater management improvements associated with this area includes two projects. The first project includes the creation of an offline wetland along Hudson Branch just downstream of Flower Street. Effort for this first project is included in Task 1 of this modified proposal. The second project includes increasing the size of the culvert system associated with Hudson Branch traveling under Flower Street. The following services will be provided for segregation of the two projects and the preparation of separate documents for the Hudson Branch and Flower Street Offline Wetlands Project.

Design Services

EA will provide design services for the proposed stormwater management improvements in the area of Hudson Branch near Branch Street, Flower Street and Showell Street. EA will design in accordance with applicable details and specifications as identified in the Town's "Construction Standards and Specifications for Water, Sewer and Streets." The design will utilize record drawings (provided by the Town), information collected during site visits, the survey information and geotechnical investigation.

As an initial step, EA will model the existing conditions utilizing TR-20 and HEC-RAS software programs. EA will then design the stormwater management improvements to mitigate the experienced flooding and design the system to control and handle the 10-year storm event. The proposed stormwater management improvements are anticipated to include a grading, culvert, pavement sidewalk repair.

Key components of the design effort include:

- Identification of existing conditions based on existing and readily available record drawings, a site visit and inspection, the site survey, and geotechnical investigation. These existing conditions will be recorded on a site and utility plan.
- Completion of the hydrologic and hydraulic model
- A Concept Design including the site, existing conditions, utilities, proposed stormwater management improvements and some standard details.
- Design components are anticipated to include a box culvert, grading/reshaping of Hudson Branch, pavement and sidewalk repair.
- Upon approval of the Concept Design, EA will develop a Final Design and Concept Design suitable for competitive bidding including the invitation to bid, general conditions, special conditions, bid form, bond form, notice of award, performance bond, payment bond and notice to proceed.
- Coincident with the design effort, EA will prepare complete submittals for appropriate permits.
- EA will provide a detailed Engineering Construction Cost Estimate based on the final design.

EA anticipates that the following drawings and specifications will be required:

Drawings

- 1 - Title Sheet
- 2 - Existing Conditions Plan
- 3 - Site Layout and Grading Plan
- 4 - SWM Details
- 5 - Erosion and Sediment Control Notes
- 6 - Erosion and Sediment Control Details

Permits and Approvals

Based on the design improvements, EA will obtain the following permits and approvals required for construction:

- Erosion and Sediment Control permit from Worcester Soil Conservation District
- Wetland permitting – EA will prepare an MDE and USACE Joint Permit Application – Letter of Authorization

EA will submit permit applications after incorporating Town comments from the 90% design submission. It is anticipated that permits will not be required from the State Highway Administration for this location. Following the design and award of the contract, EA will assist the Town during construction and provide both construction management and inspection services. This task includes construction management and inspection services for the Hudson Branch and Flower Street Offline Wetlands (Task 1) and the Hudson Branch and Flower Street Culvert Replacement Project (this task). The following is a description of these construction phase services.

Construction Management

EA will actively track, process, and manage the flow of the contract documents from the Contractor, and Town, including Request for Information (RFI), Submittals, Correspondence, Meeting Minutes, Change Orders (CO) Requests, Material Test reports and other project related items relieving the Town of these duties. EA will continually track the Contractor's progress through review of the construction schedule. Further, EA will coordinate and manage the project meetings including the pre-construction, progress, substantial completion and final walk-through meetings. The Construction Manager will also support the Town in the resolution of field problems and prepare Non-compliance Reports for unsatisfactory work and track to resolution. The following are detailed approaches relating to payment applications, CO/RFI's and meetings.

Payment Applications—The Construction Manager will review and assist with resolving any discrepancies in the contractor's payment requests, and submit the payment request with recommendations and supporting documentation to the Town of Berlin for processing.

Change Orders/RFIs—EA will assist the Town in the negotiation and review of CO requests resulting from variations in site conditions or discrepancies in the Contract Documents. This will be performed by processing and managing the flow of the distribution of the CO requests and RFI's. EA will receive, process and forward to the Engineer, all CO/RFIs. EA will organize and maintain an up to date information system that will track the status and approval of shop drawings submittals, RFI's, construction records, quantities, payment schedules, samples, inspection records, and project schedules. CO requests will be coordinated with the Engineer in order to make recommendations on conformance to the plans and specifications. EA assumes that the design engineer will be available to review and respond to CO requests and RFI's for review, comment, and approval.

Construction Meetings—The Construction Manager will coordinate a Pre-Construction Meeting at the project site to introduce all team members and establish contract, communication, schedule, and submittal procedures. The Construction Manager will also coordinate, bi-monthly (2-week intervals) progress meetings, and a pre-final and final inspection meetings. EA will prepare and distribute the meeting minutes to all attendees and appropriate parties. The minutes will track unresolved items and new issues until their final resolution. EA will provide updates on project status, foreseeable delays or difficulties, and the anticipated completion date. The final construction meeting with the Town, Engineer and a representative of the Contractor, will be scheduled upon substantial completion of the work, to conduct a final site inspection of the reconstruction of the three streets within the Town of Berlin

Construction Inspection services

It is important that sufficient and proper oversight and inspection controls are in place during construction activities to monitor Contractor activities. Proper documentation of construction activities and correspondence provides protection for the Town to assure that construction is in conformance with the contract plans and specifications. Further, having a third party construction inspector not associated with the design engineer can provide an additional layer of oversight which we find to be in the best interest of the Owner.

EA will provide a part time Construction Inspector during reconstruction of the three roadways and associated water and sewer upgrades. The Construction Inspector utilized will be competent and experienced in the area of construction oversight of road re-construction, water and sewer piping networks, and associated field activities. The Construction Inspector will serve as the “eyes and ears” for the Town of Berlin throughout these activities.

Specifically, EA’s Construction Inspector will provide the following services:

- Attend pre-construction meeting, progress meetings and pre-final and final walk-through
- Assist the Construction Manager in the tracking and monitoring all construction costs and quantities, and validation of all Contractors’ payment requests and bid items
- Maintain a log of materials delivered to the site and the progress of daily work activities for use in the review of progress payment applications submitted to the Town by the Contractor
- Assist the Construction Manager by receiving, processing and forwarding, to the Engineer, all submittals (i.e. Sub-contractors, independent testing labs, surveys, shop drawings, cut sheets, samples, test results.etc) for review and approval
- Prepare daily reports of Contractor activities on the job site, including weather conditions, data relative to questions of extras or deductions: material and equipment deliveries and subsequent installation, men and equipment working at the site, visitors to the site and all testing procedures and results if available.
- Conduct continuous inspections of on-going work for quality control and maintain a photographic record. All photographs will be digital and dated. The photo album will be maintained, and provided to the Town at the conclusion of the work via electronically on a compact disc.
- Review the erosion and sediment control provisions and notify the Town and Contractor of nonconformance issues to ensure compliance with the approved plans

- Provide inspection and record keeping for any Force Account extra work on a time-and-materials basis

EA will oversee that field conformance tests will be conducted in accordance with the specifications and compared to the required values. Should discrepancies exist, EA will recommend to the Town that the Contractor correct these discrepancies. Further, EA will advise the Town as to the readiness of the project for substantial and final inspection. Following the completion of construction, EA's Construction Inspector will assist the Town with the coordination of a walk-through inspection to compile a final "punch list" of items remaining to be completed for the Town and Engineer for review, and prepare a Certificate of Substantial Completion. All required affidavits, guarantees, manuals, keys, record drawings, spare parts, etc. will be collected and transferred to the Town at the completion of the project.

Assumptions

- EA will provide part-time construction inspection sufficient to oversee critical components during the duration of the construction contract (60 calendar days).
- EA's Construction Inspector is not responsible for managing or directing the Contractor and/or the Contractor's schedule.
- EA is not responsible for the Contractor's means or methods or safety for completing the work.
- Internet connection, power, phone, and fax and utilities will be provided for the Construction Inspector
- The Contractor will prepare and maintain an up to date construction schedule.
- EA has included 2-hrs per week for the Project Manager to visit the site, and/or coordinate work with the Town.
- Project Meetings will include one Pre-Construction Meeting, four progress meetings, one pre-final inspection and one final inspection meeting.
- A construction Certification Report is not required.



MOTION OF THE MAYOR AND COUNCIL No. 2016-35

A motion of the Mayor and Council of the Town of Berlin approving the modification proposal with EA Engineering Science for the Construction Management/Inspection and Engineering Consulting Services in Accordance with Grant Requirements in the amount of \$147,173.09.

Approved this _____ day of _____, 20____ by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, Sr. Vice President

Wm. Gee Williams, III, Mayor

ATTEST: _____
Laura Allen, Town Administrator




MOTION OF THE MAYOR AND COUNCIL 2016-33

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN TO APPROVE AN APPLICATION TO THE COMMUNITY PARKS AND PLAYGROUNDS PROGRAM FOR SFY18 FOR PERMANENT RESTROOMS IN STEPHEN DECATUR PARK IN THE AMOUNT OF \$106,660.00 (\$96,000 grant/\$10,660 match).

APPROVED THIS _____ DAY OF _____, 2016 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF _____ TO _____ OPPOSED, WITH _____ ABSTAINING.

Elroy Brittingham, Sr. Vice President

Approved this _____ day of _____, 2016 by the Mayor of the Town of Berlin.



Wm. Gee Williams, III, Mayor

ATTEST: _____

Laura Allen
Town Administrator



MOTION OF THE MAYOR AND COUNCIL 2016-34

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN TO AWARD THE CONTRACT FOR THE HUDSON BRANCH AND FLOWER STREET CULVERT REPLACEMENT PROJECT TO SOUTHSIDE LAND MANAGEMENT FOR THE AMOUNT OF \$171,282.23.

APPROVED THIS _____ DAY OF _____, 2016 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF _____ TO _____ OPPOSED, WITH _____ ABSTAINING.

Elroy Brittingham, Sr. Vice President

Approved this _____ day of _____, 2016 by the Mayor of the Town of Berlin.

Wm. Gee Williams, III, Mayor

ATTEST: _____

Laura Allen
Town Administrator

HUDSON BRANCH AND FLOWER STREET CULVERT REPLACEMENT PROJECT
TOWN OF BERLIN, MARYLAND
AUGUST 2016

ITEM	ITEM DESCRIPTION	ESTIMATED QTY.	UNIT	Southside Land Management		Clean Venture Inc.		AVERAGE
				COST PER	TOTAL ITEM	COST PER	TOTAL ITEM	
1	MOBILIZATION AND DEMOBILIZATION	1	LS	\$ 3,900.00	\$ 3,900.00	\$ 36,000.00	\$ 36,000.00	\$ 19,950.00
2	SELECTIVE DEMOLITION WORK	1	LS	\$ 7,060.00	\$ 7,060.00	\$ 48,000.00	\$ 48,000.00	\$ 27,530.00
3	CLEARING, GRUBBING, BRUSH, AND TREE CLEARING	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 34,000.00	\$ 34,000.00	\$ 17,750.00
4	INSTALLATION OF PRECAST CONCRETE BOX CULVERT, INLETS, INLET FRAMES, AND INLET GRATES	1	LS	\$ 92,873.17	\$ 92,873.17	\$ 321,000.00	\$ 321,000.00	\$ 206,936.59
5	INSTALL SIDEWALK	1	LS	\$ 2,720.98	\$ 2,720.98	\$ 9,500.00	\$ 9,500.00	\$ 6,110.49
6	CURB AND GUTTER	1	LS	\$ 3,561.00	\$ 3,561.00	\$ 9,200.00	\$ 9,200.00	\$ 6,380.50
7	BASE AND SURFACE ASPHALT	1	LS	\$ 4,282.00	\$ 4,282.00	\$ 16,900.00	\$ 16,900.00	\$ 10,591.00
8	PRECAST CONCRETE END WALLS	1	LS	\$ 15,401.08	\$ 15,401.08	\$ 34,000.00	\$ 34,000.00	\$ 24,700.54
9	END WALL FENCING	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 12,000.00	\$ 12,000.00	\$ 7,000.00
10	SITE GRADING AND ROCK OUTLET PROTECTION	1	LS	\$ 9,684.00	\$ 9,684.00	\$ 82,000.00	\$ 82,000.00	\$ 45,842.00
11	HUDSON BRANCH FLOW BYPASS	1	LS	\$ 2,800.00	\$ 2,800.00	\$ 20,000.00	\$ 20,000.00	\$ 11,400.00
12	EROSION AND SEDIMENT CONTROL AND SITE RESTORATION	1	LS	\$ 17,750.00	\$ 17,750.00	\$ 15,000.00	\$ 15,000.00	\$ 16,375.00
	SUBTOTAL FOR BID ITEMS 1 TO 12				\$ 163,532.23		\$ 637,600.00	\$ 400,566.12
ADD ALTERNATE ITEM DESCRIPTION								
1	GEOTECHNICAL INVESTIGATION	1	LS	\$ 3,150.00	\$ 3,150.00	\$ 6,400.00	\$ 6,400.00	\$ 4,775.00
2	FORCEMAIN AND WATER UTILITY RELOCATION UNDER PROPOSED CULVERT	1	LS	\$ 4,600.00	\$ 4,600.00	\$ 24,700.00	\$ 24,700.00	\$ 14,650.00
	SUBTOTAL FOR ALTERNATE BID ITEMS				\$ 7,750.00		\$ 31,100.00	\$ 19,425.00
	TOTAL BID				\$ 171,282.23	Total:	\$ 668,700.00	\$ 419,991.12

Laura Allen

From: Thom Gulyas - ACE Printing & Mailing <thom@acepm.com>
Sent: Tuesday, August 09, 2016 4:55 AM
To: Laura Allen; Troy Purnell; Lisa Hall; William Gee Williams; Dean Burrell; Thom Gulyas; Elroy Brittingham
Cc: Jane Kreiter; Jeffrey Fleetwood; Kolar, Darl; Mary Bohlen
Subject: Re: Flower St. culvert contract award - approval requested

Approve

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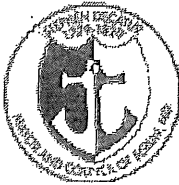
On Mon, Aug 8, 2016 at 5:13 PM -0400, "Laura Allen" <lallen@berlinmd.gov> wrote:

Good afternoon – I confirmed with Dave Gaskill that the Council can vote on this contract award by email. Please see the attached packet from the 8/8/16 meeting <http://berlinmd.gov/wp-content/uploads/2016/08/080816WebPacket.pdf>

We'd like to keep the Flower St. culvert project moving, therefore I'm recommending you approve the contract award to Southside Land Management in the amount of \$171,282.23. You received a memo from Darl in your packet that outlines the steps he took to assess the worthiness of this contractor. They are the low bidder.

Please reply to this email with your vote as soon as possible.

Thank you,



Laura Allen - Town Administrator
Town of Berlin | 10 William Street | Berlin, Maryland
21811-1233
O: 410-641-4144 | F: 410-641-2316 | W: www.berlinmd.gov
| E: lallen@berlinmd.gov

Laura Allen

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To: Laura Allen; Troy Purnell; Lisa Hall; William Gee Williams; Dean Burrell; Thom Gulyas; Elroy Brittingham
Cc: Jane Kreiter; Jeffrey Fleetwood; Kolar, Darl; Mary Bohlen
Subject: Re: Flower St. culvert contract award - approval requested

Approve

[Get Outlook for iOS](#)

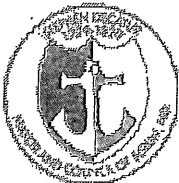
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Town of Berlin | 10 William Street | Berlin, Maryland
21811-1233
O: 410-641-4144 | F: 410-641-2316 | W: www.berlinmd.gov
| E: lallen@berlinmd.gov

Laura Allen

From: Lisa Hall
Sent: Tuesday, August 09, 2016 9:11 AM
To: Thom Gulyas - ACE Printing & Mailing; Laura Allen; Troy Purnell; William Gee Williams; Dean Burrell; Thom Gulyas; Elroy Brittingham
Cc: Jane Kreiter; Jeffrey Fleetwood; Kolar, Darl; Mary Bohlen
Subject: RE: Flower St. culvert contract award - approval requested

Approve

Sent using OWA for iPhone

From: Thom Gulyas - ACE Printing & Mailing <thom@acepm.com>
Sent: Tuesday, August 9, 2016 4:55:27 AM
To: Laura Allen; Troy Purnell; Lisa Hall; William Gee Williams; Dean Burrell; Thom Gulyas; Elroy Brittingham
Cc: Jane Kreiter; Jeffrey Fleetwood; Kolar, Darl; Mary Bohlen
Subject: Re: Flower St. culvert contract award - approval requested

Approve

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Laura Allen - Town Administrator
Town of Berlin | 10 William Street | Berlin, Maryland
21811-1233
O: 410-641-4144 | F: 410-641-2316 | W: www.berlinmd.gov
| E: lallen@berlinmd.gov

PO # 201700048

Requisition Manager: 201700048 - JOHN DEERE 6105E CAB TRACTOR

Save and Close | Save and Exit | Print Screen | Actions | Documents

Vendor Name: ATLANTIC TRACTOR 33415 JOHN DEER DRIVE Change Business Address Amount: \$56,973.70
 Vendor Number: 0000249 SALISBURY, MD 21804
 Vendor Set: 01 U.S.A.
 Approval Status: Waiting for Approval

General Number

Item Entry Description JOHN DEERE 6105E CAB TRACTOR

Shipping Entry Department PUBLIC WORKS - PUBLIC WORKS

Items Distributions Issue Date 8/2/2018

Item Approvals On Hold

Item Approval History Requested By NATALIE SALEH

Notes Auto Approve

PO Notices Ship To Public Works - Town of Berlin Pu
 Vendor 0000249 - ATLANTIC TRACTOR

Detailed Description 01-5300-5255

\$57,000 NEW TRACTOR
 (\$30,000) WWT CAPITAL BUDGET
 (\$5,000) OLD TRACTOR TRADE IN
 (\$22,000) PUBLIC WORKS, BERLIN FALLS, ST WA

Approved by M&C on _____
 FOR _____ AGAINST _____ ABSTAIN

Requisition Manager: 201700047 - LED CHRISTMAS LIGHTS

Save and Close | Save and Use | Delete Item | Print screen | Actions | Documents

Vendor Name: MOSCA DESIGN 8450 GARVEY DRIVE Change Business Address
 Vendor Number: 0001520 RALEIGH, NC 27616
 Vendor Set: 01 U.S.A.
 Approval Status: Waiting for Approval

General
 Commodity: GOODS - GOODS Load Commodity Defaults
 Item Description: 5000 FT C7 LED LIGHTS
 Ship To: Electric Department - Town of B...
 Vendor: MOSCA DESIGN

	Units	Price	Amount
Ordered	5.000000	2,404.800000	12,024.00
Shipping			200.00
Sales Tax			0.00

Total Item \$12,224.00
 Trade Discount \$0.00

Account: 10-5620-5730 SUPPLIES AND OPERATIONS Vendor Part Number
 Project Account

Split Distribution

Need By Date

Special Instructions

Sequence	Commodity Code	Item Description	Vendor	Transferred From	Is Taxed
1	GOODS	5000 FT C7 LED LIGHTS	MOSCA DESIGN		

Approved by M&C on _____
 FOR _____ AGAINST _____ ABSTAIN _____